

31/6 - Preliminary Consult 7-26-75  
3922 Baltimore Street Kensington HD

Kensington HD.

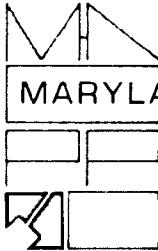
39201

3922

~~3920~~ Baltimore Avenue

Side Lot # 25 Block # 11

July 1995



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

August 11, 1995

Mr. Walter E. Schmitt  
3913 Baltimore Street  
Kensington, MD 20895

RE: Public hearing on 7/26/95 on 3920 Baltimore Street

Dear Mr. Schmitt:

Thank you for your letter of July 30, 1995, with your comments about the 7/26/95 hearing of the HPC. I am concerned that you were upset by some comments that were made at the public hearing. The HPC provides a public forum for comments and discussion on projects, such as Sterling Mehring's proposal, and permits an exchange of views and ideas in a public meeting. The basis of the HPC decisions is the Montgomery County Ordinance, Chapter 24A of the County Code, which recognizes that Historic Preservation zoning has been adopted by the County for the public benefit. I am enclosing a copy of this ordinance for your use. This, of course, provides the framework for the HPC meeting which you attended, and I will do my best to answer your questions about the actions of the HPC at that meeting.

In the exchange of ideas in a public forum, someone may say remarks that another considers inappropriate but the dictates of due process considerations permit such an exchange. It did not occur that evening, but on some occasions we have had to interrupt or cut off a speaker who was making clearly derogatory or demeaning slurs about a person. This type of speech cannot be tolerated. We apologize for any remarks made by a member of the Commission that you felt to be insulting or demeaning although I am sure they were not meant nor directed at you personally.

As you are aware from the statements made by the Commissioners at the hearing, the HPC is not in favor of continued development of the individual lots with 50' road frontage on Baltimore Street. The comments that were made at the hearing were not directed at you or your family and were not meant to show disrespect for you or your family. The comments were based on an architectural assessment of the environmental setting of the Kensington Historic District as it appears specifically on Baltimore Street.

The HPC indicated that such development on individual 50' lots is inconsistent with the garden setting which makes Baltimore Street and the Kensington Historic District such a special place. The garden area/open space is reduced when new structures are built, and the HPC is charged with the responsibility of assessing the impact of proposed construction on the overall district. As you know, this responsibility is taken seriously, and proposed changes and alterations will continue to receive the highest level of scrutiny both for the immediate impact of any specific project, as well as the precedence which is set for future construction proposals.

The HPC is charged with the responsibility to maintain the character of the Master Plan sites around the county, and the Commissioners often find themselves taking unpopular stands during the normal course of business. With regard to the Day Care Center which is located adjacent to your rear property line, the HPC reviewed the physical changes which were proposed at this site, and approved a project which they felt would minimize any adverse effects on the District. Please remember that the HPC does not review use of a property, but only proposed alterations at a site. Use of a site is a zoning decision which is beyond the jurisdiction of the HPC. Therefore, the HPC did not have a say in the decision of whether or not a day care center should go in at the property. For future reference, the term "infill" is a word of art that is used to describe houses built in a historic district after designation by the county as a historic district.

Please know that the HPC is concerned that citizens treat the hearings as an opportunity for a fair hearing and not an opportunity for "grand standing." If Mr. Mehring chooses to return to the HPC with a revised proposal, it is possible that the home in which you live may be discussed as an example of the potential for increased density on this street. Please know that any comments which you have heard in the past, and which you may hear in the future are not personal comments about you and your family. Your home stands as a non-contributing resource in a remarkably intact historic district. It is this Historic District which the HPC is charged with the duty of maintaining.

Sincerely,



Walter S. Booth  
Chairman  
Historic Preservation Commission

## HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: Lot 25, 3920 Baltimore Avenue

Meeting Date: 7/26/95

Resource: Kensington Historic District (31/6)

Review: PRELIMINARY  
CONSULTATION

Case Number: Not applicable

Tax Credit: No

Public Notice: 7/12/95

Report Date: 7/19/95

Applicant: R. Sterling Mehring

Staff: Robin D. Ziek

**PROPOSAL:** New single family dwelling

**RECOMMEND:** Do not  
proceed to  
HAWP

### BACKGROUND

The Kensington Historic District was established in July, 1986 when the County Council adopted an amendment to the Montgomery County Master Plan for Historic Preservation. As stated in the Amendment (p.2),

"The district is architecturally significant as a collection of late 19th and early 20th century houses exhibiting a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake and Colonial Revival. The houses share a uniformity of scale, set backs and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb."

The purpose of the designation and the role of the HPC is clearly described in the Introduction to the Amendment (p.1):

"Once designated on the Master Plan for Historic Preservation, any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued. The Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

It is the intent of the Master Plan and Ordinance to provide a system for evaluating, protecting and enhancing Montgomery County's heritage for the benefit of present and future residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize

(1)

community support for preservation and minimize infringement on private property rights."

A brief synopsis of the history of Kensington as presented in the adopted amendment follows:

The town of Kensington began as a small crossroads settlement along the Bladensburg Turnpike, an early market road between the County's major north/south route, Old Georgetown Road, and the port of Bladensburg on the Anacostia River in Prince George's County. When the B&O Railroad was built in 1873, the crossroads settlement became known as Knowles Station, named after the major land holding family in the area.

By 1890 Knowles Station had developed into a village of several hundred people, most of whom were living north of the railroad. In that year, Washington financier, Brainard H. Warner, purchased and subdivided property to the south and southwest of the railroad, naming the area Kensington Park after the famous London suburb. The subdivision was designed in the Victorian manner with ample sized lots and a curvilinear street pattern.

Warner established his own summer residence and invited his friends to join him in this park-like setting away from the heat and congestion of Washington. It is this concentration of Victorian period, residential structures located in the center of the town which constitutes the core of the historic district.

#### PROJECT PROPOSAL

The proposal before you is to build a single-family dwelling of 2970 s.f. (footprint @ 1485 s.f.) on a single lot measuring 50' x 172.5'. This is considered "in-fill" housing and staff will discuss below the implications of such construction at this site.

#### Site Description

Lot 25, Block 11 is currently part of a grouping of three lots (25, 26, 27) which provide the environmental setting for the House at 3920 Baltimore Street, and constitutes the west side yard for this house; Lot 27 provides the east side yard. Each of the three lots measures 50' x 172.5' (8,625 s.f.). The driveway is located on Lot 25, and leads to an original "auto house" which is clad in wood shingles similar to those on the house. The original doors are stored inside the garage, and the building has shifted off of its foundations and is need of maintenance work. The lot is relatively flat, and gently rises from the street to the rear yard area. There are some shrubs on this property, and trees to the rear.

The house at 3920 Baltimore Street has been identified as a Primary Resource (1910-1930) in the Master Plan. It is a centered gable I-House with a rear ell, and several additions to the rear and east side. There is some evidence that the house may actually be of an earlier

date than 1910, such as the use of fishscale shingles in the side gables as original cladding (evident on the west gable end where the wood shingles are failing). Staff will look into the construction date further, but clearly there is no question that this resource is a Primary Resource within the Kensington Historic District.

#### Site Location with the Historic District

The dwelling at 3920 Baltimore Street sits on Lot 26 between its flanking side lots which provide a garden setting for the house. With three exceptions (3913, 3941 and 3948 Baltimore Street), all of the other houses on Baltimore Street in this portion between Connecticut and Prospect are Primary Resources dating to 1880-1930.

3920 Baltimore Street is flanked by two large homes sitting on multiple lots. The home to the east, 3914 Baltimore Street, is a Queen Anne Cottage (Primary Resource 1880-1910) sitting on three lots. The house to the west at 3924 Baltimore Street is a large Georgian Revival Cottage (1880-1910) with a hipped roof, sitting on two lots.

The streetscape on Baltimore Street was established with a building pattern where the earliest purchasers typically bought 2 or more platted lots and built only one dwelling on the property (1880-1910). The earliest homes are typically either the Queen Anne style - large homes of irregular shape - or the Georgian Revival Cottage style - large symmetrical homes with hipped roofs. These individual homes sit within a generous landscape where neighbors are close by, but are not typically on adjacent lots. The suburban setting was landscaped, treed, and spacious in contrast to the urban development of Washington, D.C.

The next period of development on this street (1910-1930) included the development of three Colonial Revival style homes on lots purchased from existing homeowners. These dwellings are characterized by their modest scale, massing, and size in contrast with the earlier constructed dwellings.

Finally, there are two recently constructed buildings in this block - 3913 and 3948 Baltimore Street. The proposal for 3948 Baltimore Street came before the HPC prior to the actual date that the designation of the Historic District took effect, and was considered solely from the perspective of "substantial alteration." This level of review is not comparable to the review which is given to any proposals within an established historic district, and does not provide guidance in terms of precedence.

The project at 3913 was approved by the HPC in August 1987, and is of concern to staff as a possible precedence for in-fill construction in the Historic District. However, staff feels that this new construction illustrates the potential concerns with in-fill construction, and illustrates the potential for the loss of the environmental setting for the historic district as a whole, and for individual resources within the district on their own.

The map on Circle 7 provides a quick reference to the pattern of development which led to the existing conditions on Baltimore Street today. There are twenty buildings on Baltimore Street between Connecticut Avenue and Prospect Street, and thirty-four platted lots. The lots are of varying sizes because of the curving street plan. Therefore, the 20 lots which are located in the straight section of Baltimore Street were platted at 50' x 172.5. The individual lots in the curving section of Baltimore are trapizoidal in shape measuring approximately 70' at the street and ca. 50' at the street edge. Therefore, the lots have differing square footage.

(3)

The development pattern generally shows that houses in the straight portion of Baltimore Street occurred on multiple lots, while houses within the curving portion of the street, where the individual lots have more square footage, appear sometimes on single lots and sometimes on multiple lots.

The pattern of openness in this community has also been expressed by an evaluation of the distances between houses, which is presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, figure 34 (See Circle 8). The pattern for the entire historic district is illustrated by the evaluation of front yard setback and building separation for Block #11 which includes the south side of Baltimore Street (where 3920 Baltimore is located) and the north side of Prospect Street. In this particular evaluation, the average distance between buildings is 87.3', ranging from 40' to 170'. This block illustrates the point that the overall character of the streetscape is established through a building pattern in the Kensington Historic District which is achieved through a combination of large setback (typically 40') and open space created by the distance between buildings. The intervening open space provides the garden setting for the entire district, as well as views across yards which provides the opportunity for long views through the community; this helps to tie the different blocks together.

The existing development of the Kensington Historic District can also be characterized by the percentage of lot coverage. As presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, table on page 47 (Circle 9), the average lot is .42 acres (18,295 s.f.) and the average lot coverage is 9%. The proposed development is on a lot size of only 8,625 s.f. or 47% of the average lot size. The new construction would have a lot coverage of 20.3%, or 2.25 times the average lot coverage.

#### PROJECT DESCRIPTION

The applicant proposes to build a two-story single-family dwelling on Lot 25. The applicant proposes the removal of the existing driveway and garage, and the construction of a new driveway to be shared by the new house on Lot 25 and the existing house on Lot 26. The house which is being proposed has a footprint of approximately 1485 s.f. and would be a total of 2970 s.f. A single-car garage is also proposed for the rear with a footprint of 264 s.f. The total lot coverage would be 20.3%.

The new house would be set 48' back from the street, with a side setback of 10' on the west side, and 12.4' from the east boundary. The proposed house would be approximately 22.4' from the house on Lot 26, and approximately 15'-20' from the house at 3924 Baltimore Street.

The proposed new house is in a "neo-style", which includes an irregular massing which is reminiscent of the Victorian Queen Anne houses, but has gable detailing and trim which is more reminiscent of the Colonial Revival style. The proposed structure would utilize a steep roof pitch and windows with 4/1 light. The garage is proposed in the same neo-styling. The applicant has indicated that this particular house design was drawn up for another location and is proposed for this site as well.

#### STAFF DISCUSSION

Staff has some concerns with various aspects of this proposal, which include: encroachment on environmental setting of the Historic District and the individual resources within the district, the proposed demolition of a historic outbuilding, and the incompatibility of

the proposed development with existing patterns of development. This includes the loss of open space, the proposed percentage of lot coverage, and the proposed use of a 19th century style of architecture in the 20th century when there is a pattern of development in the 20th century which is part of the historic district development.

In the determination of environmental setting for an individual site, the HPC considers boundaries of a sufficient size which will provide the maintenance of the historic setting. In a rural site, such as a farm complex, for example, the environmental setting may be set at several acres to achieve the historic feeling. The determination of the boundaries of a suburban historic district is the equivalent of the environmental setting for an individual site. The boundaries are chosen to encompass the historic resources in their individual environmental settings which provide the sense and feel of a "district". In other words, the district is an accumulation of individual sites, none of which need to have "individual distinction, provided that the grouping achieves significance as a whole within its historic context." (page 5 of Bulletin #15.) The basic importance of a district is the fact that it is a "unified entity, even if it is often composed of a wide variety of resources." (page 5 of Bulletin #15.)

The studies on Kensington which quantified open space, lot coverage, existing rhythm of development all provide measurable ways to evaluate the effect of proposed changes and alterations to the historic district.

The issue of environmental setting is central to the designation of any historic site or district because it is key in the retention of integrity of the district. It may be helpful to quote from the National Register Bulletin #15, page 46 which discusses the evaluation of integrity of historic districts:

"For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into considerations the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- o if has been substantially altered since the period of the district's significance or
- o it does not share the historic associations of the district."

Further assistance in staff's evaluation of this proposal is provided by the National Register Bulletin #30 which provides guidelines for the evaluation of rural historic landscapes.

While Kensington is clearly a suburban rather than rural historic district, the description on page 23 of Bulletin #30 concerning threats to integrity is helpful:

"Integrity may also be lost due to the cumulative effect of relocated and lost historic buildings and structures, interruptions in the natural succession of vegetation, and the disappearance of small-scale features that defined historic land uses."

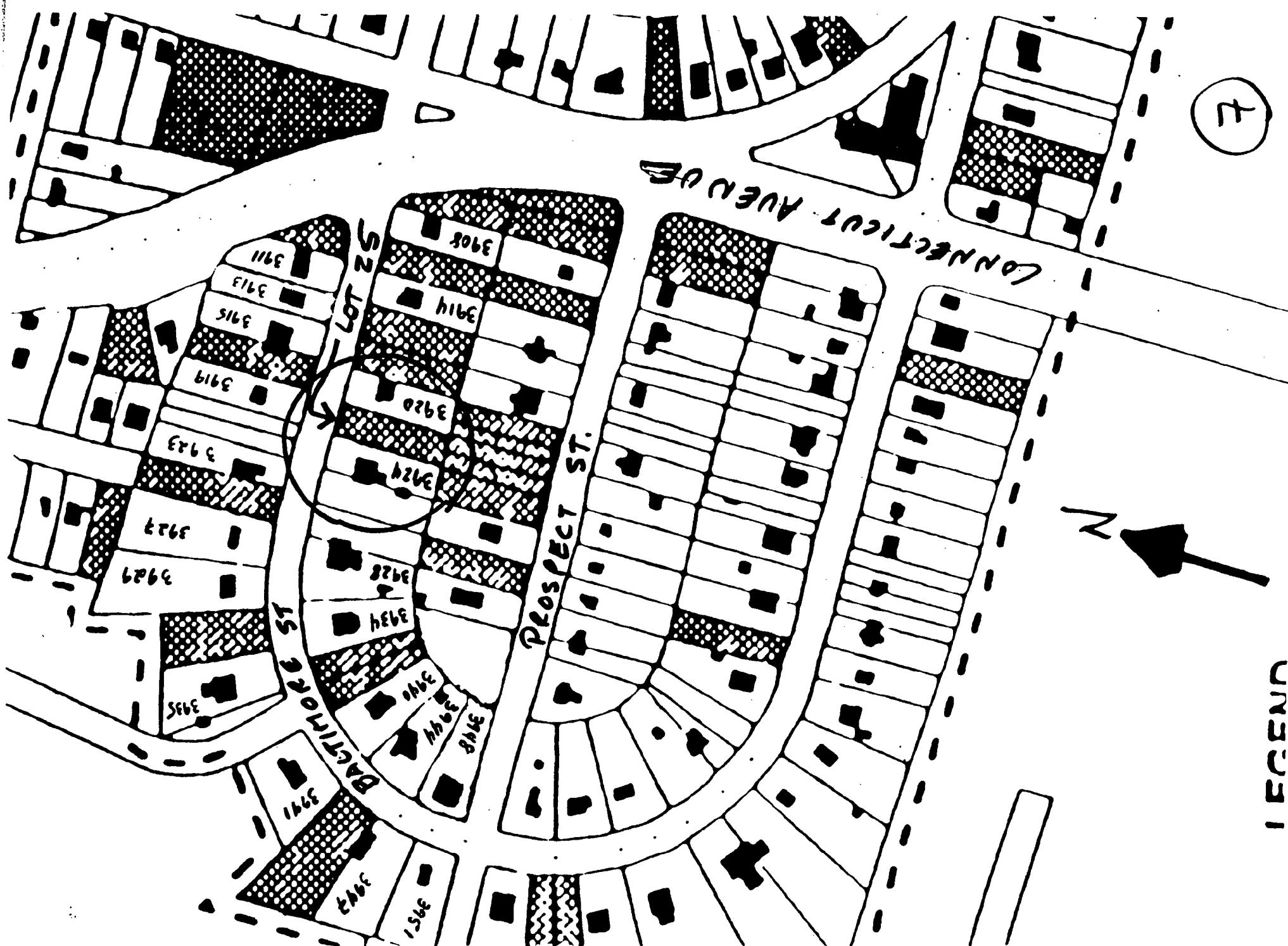
In the case of this particular proposal, several elements within the historic district of Kensington are proposed for demolition: the open space, the relationship of adjacent homes to each other and to the landscape, and the historic outbuilding or "auto house".

The small garage was an important element in all of the suburbs around Washington. While Kensington first developed around the railroad mode of transportation, the suburban development around Washington really expanded dramatically with the introduction of the low-cost automobile. At that point, every house added an "auto house", which is best illustrated in the Sanborne insurance maps. This particular garage may have been added after the construction of the original house at 3920 Baltimore Street, but is clearly a historic outbuilding which provides physical evidence of the historic development of Kensington. There are several small garages of this scale still in Kensington, but a brief survey of Baltimore Street illustrates that many of these key outbuildings have already been lost.

#### STAFF RECOMMENDATION

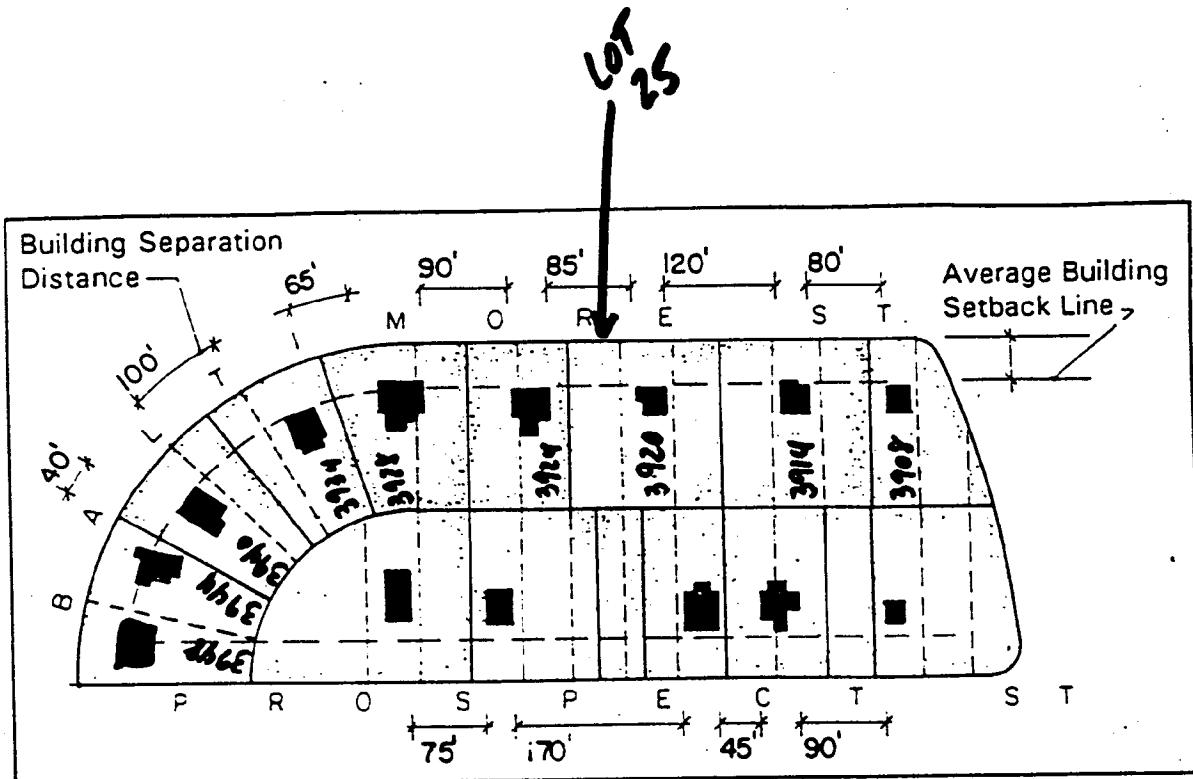
Staff recommends that the HPC find that the proposed new construction within the Kensington Historic District would be detrimental to the integrity of the Historic District. The proposal would not be compatible with the existing patterns of development including rhythm of building to open space, or the environmental setting of the District. This is based on the fact that the proposed new construction would substantially exceed existing average lot coverage, would be substantially below existing average distances between dwellings, that this represents a cumulative loss of integrity for the Historic District as a whole through the above non-conformance with existing development patterns and with the demolition of an existing historic outbuilding.

Staff acknowledges that the seller is willing to forego development on Lot 27 if the construction on Lot 25 is permitted. However, staff recommends that diminution to the Historic District as a whole would be threatened by the incompatible development on Lot 25 which is not addressed by the easement proposal for Lot 27.



### **Relationships of Front Yard Setback and Building Separation**

The front yard "setback" is the distance a building is set away or back from the property line on the street or road which it fronts. The front yard setback determines how prominent a building is in the streetscape of a community. When many buildings are involved, a pattern can be established which helps to define the character of the streetscape through the width of sidewalks, the amount of green space (lawn or vegetation area) between street and building, the apparent scale of the buildings in relation to pedestrians, and other subtle qualities of the community. In combination with setbacks, building separation distances establish the openness or visual porosity of the streetscape. Buildings which are separated allow for view and landscape elements in the interstitial space. These relationships are illustrated in the map titled Kensington Historic District Vacant Land and Open Space(Figure 34).



Pattern of Building Setbacks and Separation Distances for Block #11

### **Lot Coverage Patterns**

Lot coverage is the ratio of the building footprint area to the overall lot area, and it reflects the density of development on a given parcel of land. Lot coverage was identified using planimeter take-offs of the building footprint area from the County's topography maps and compared with lot areas to determine percent of coverage as given in the table Kensington Historic District Lot Characteristics. Analysis of lot coverage in Kensington reveals that the density of development is greater for the overall district than in the areas where the primary resources are located. This is related to the inclusion of the commercial district for the calculation, as well as the use of fewer lots per dwelling for post-1930s' construction. The lower lot coverage figures for primary resources reflects the pattern of using multiple lots for the older primary resource dwellings.

**Kensington Historic District Lot Characteristics**

Category		Entire District	All Primary Resource Properties	1890 - 1910 Properties
Lot Area	Maximum	3.3 acres	3.3 acres	3.3 acres
	Average	0.40 acres	0.38 acres	0.42 acres
	Minimum	0.15 acres	0.15 acres	0.18 acres
Lot Coverage	Maximum	25%	25%	25%
	Average	15%	10%	9%
	Minimum	5%	5%	5%
Front Yard Setback	Maximum	65 ft	65 ft	65 ft
	Average	33 ft	35 ft	38 ft
	Minimum	0 ft	20 ft	20 ft
Building Separation	Maximum	170 ft	170 ft	170 ft
	Average	40 ft	55 ft	75 ft
	Minimum	15 ft	20 ft	50 ft

3922 BALTIMORE ST., KENSINGTON

Cover Letter

Wednesday, July 05, 1995

Historic Preservation Commission  
c/o Gwen Marcus  
8787 Georgia Ave  
Silver Spring, Md. 20910

Dear Commissioners:

I am requesting an opportunity to discuss our proposed project in the Kensington Historic District and to seek your guidance prior to formally applying for Historic Area Work Permit. I understand the next meeting I can participate in will be July 26, 1995.

It is my intention to build a house that will be a compliment to the street. I have sought to do this by studying the features and characteristics of the existing houses in the District. Ms. Marcus has supplied me helpful information on precedent architecture in Kensington. I feel the plans I am submitting for your comment is a sensitive response what is most frequently found when you look at existing architectural styles, roof form, building material, symmetrical and directional expression, and important exterior features.

I understand that style and features of new construction is not the only issue that may be of concern to the Commission. I recognize the appearance of this house should not try to overpower its neighbors. Therefore the body of this house is only 26' wide at the front, it is 30' wide including the porch. To further reduce the prominence of this house my plan is to hold the house well back from the established setback of the existing homes on the street.

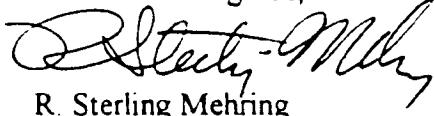
Another issue, but one where sensitivity and good intentions can do little to mitigate, is that of development of vacant lots in the district. I recognize there is a desire to maintain the spacing between resource properties, even when these spaces are made up of valuable, approved, and recorded lots that conform to existing zoning laws. There is, of course, established precedent for H.P.C. approval of developments like mine, 3913 (lot 6 bk10) and 3948 Baltimore St. (lot 16 bk11) both in 1987. I would like to state two points where the H.P.C. and the community may find it serves the long term interests of preservation to approve my plan.

1) If an acceptable plan is approved for a house of no less than 2600 SF the current owner of record of lots 25, 26, & 27 will sign for recordation a covenant or easement benefiting the H.P.C. that will perpetually prohibit the development or separation of lot 27.

2) The seller of lot 25 is selling this valuable property in order to raise funds needed to finish the restoration of the resource property at 3920 Baltimore St which could use the investment.

I look forward to meeting with you the 26th of July.

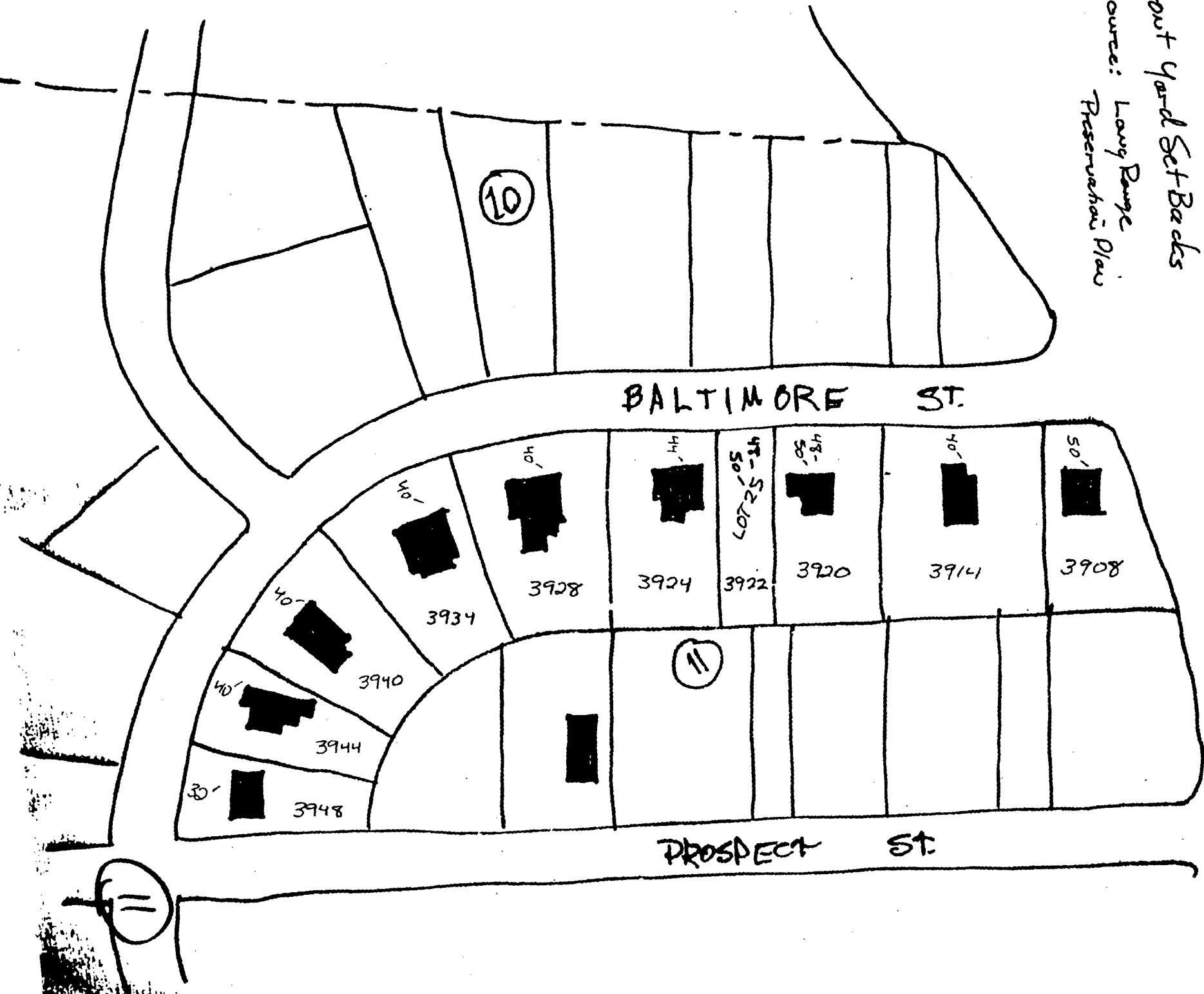
With Warm Regards,

  
R. Sterling Mehring  
301-585-2600

(10)

Front Yard Set-Backs

Source: Long Range  
Preservation Plan



3922 BALTIMORE ST., KENSINGTON

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**PROJECT DESCRIPTION**

We will be requesting a HAWP for:

- 1) Removing the existing driveway and a 12' wide structure which is described as a garage or shed.

The existing condition is highly deteriorated and is probably beyond repair. Specifically, the bottom plates on the front wall, the front east side wall, and the rear west side wall are off the footing and progressively collapsing. The roof is leaking and sagging. There is severe damage from rot or termites in the It does appear to be original or significant

- 2) To build a Single Family Residence on lot 25 Block 11 Kensington Park according to the attached plans (delivered to you 3/32:1' scale).

- Elevation #1
- 2645 SF, 4 Bedroom 2 & 1/2 Baths
- 1 Car Detached Garage, with 14' shared driveway with 3920 Baltimore St.
- Porch Roof - Standing seam tin roof
- Windows - 2 over 1 or 4 over 1, true divided light, wood sashes
- Frequent use of doubled windows
- Siding - painted clapboards - "Omniwood" A processed product I prefer over wood siding for its superior paint holding characteristics. Wood corner boards
- Shutters - mounted on operable hinges.
- Half light door with side lights

*CHANGES NOT YET INCORPORATED INTO THE PLANS*

- Delete Wood Boxed Column, Now Turned porch posts - Tuscan
- Side and rear porch to be narrowed 18" to make an overall width of 30' in the rear.
- Plan as shown will be reversed to allow porches to face driveway

R. STERLING MEHRING  
2505 FOREST GLEN RD.  
SILVER SPRING, MD. 20910  
301-585-2600/ fax 301-608-2527

(12)

No 33

**NOTE: This location for title purposes only — not a used for determining property taxes. Property com. values not guaranteed by this location.**

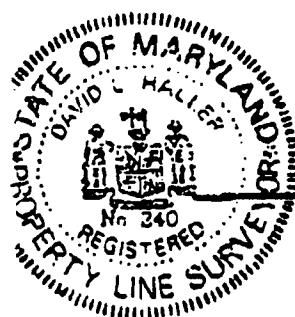
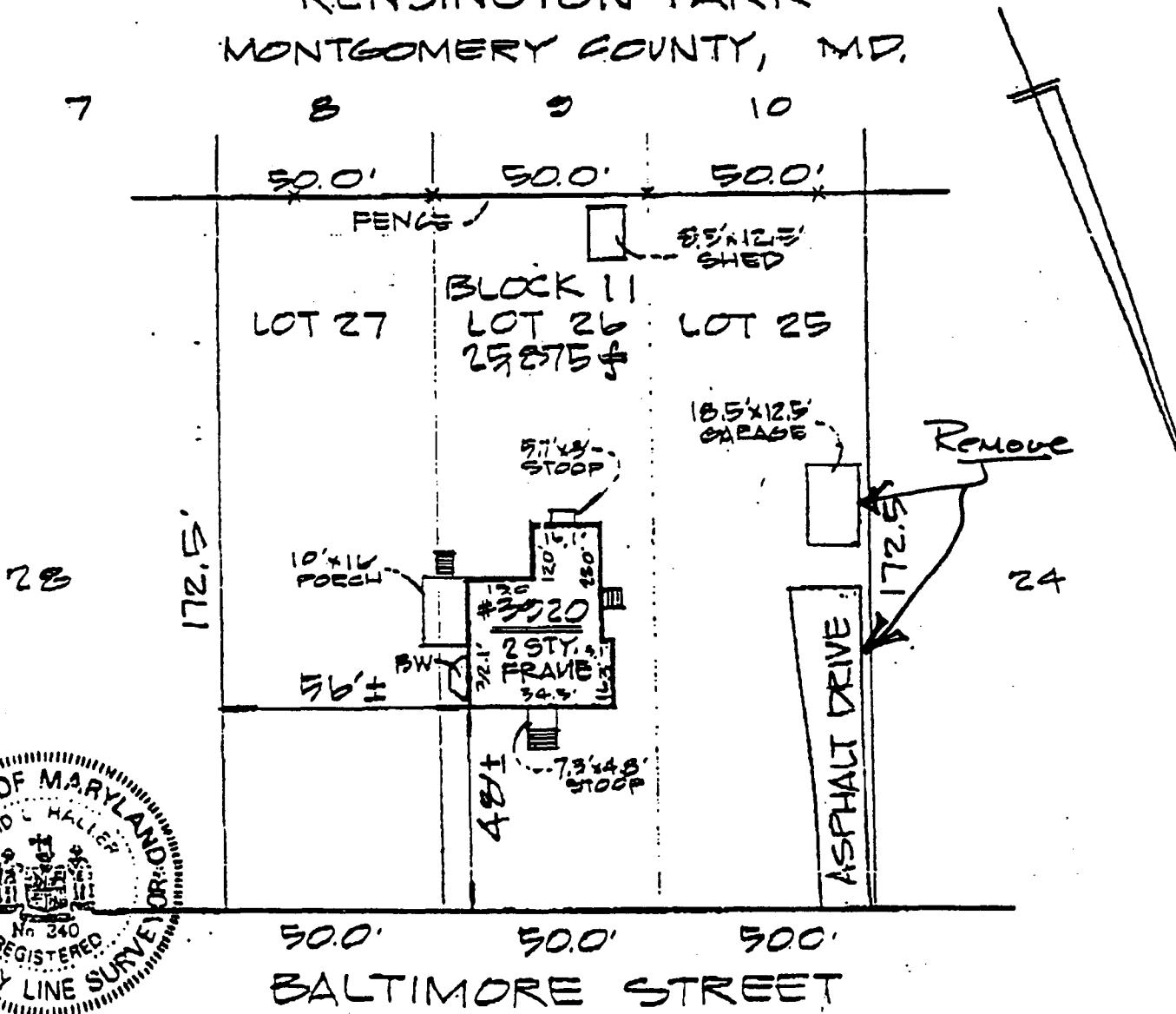
HOUSE LOCATION  
LOTS 25, 26 & 27 BLOCK 11  
KENSINGTON PARK  
MONTGOMERY COUNTY, MD.

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## **CERTIFICATE**

-HEREBY CERTIFY THAT THE POSITION OF ALL THE  
TIN IMPROVEMENTS ON THE ABOVE DESCRIBED  
PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY A  
NSIT-TAPE SURVEY AND UNLESS OTHERWISE  
STATED THERE ARE NO ENCROACHMENTS

  
DAVID L HALLER  
MARYLAND RPLS NO 280

#### REFERENCES

PLAT BK  
PLAT NO

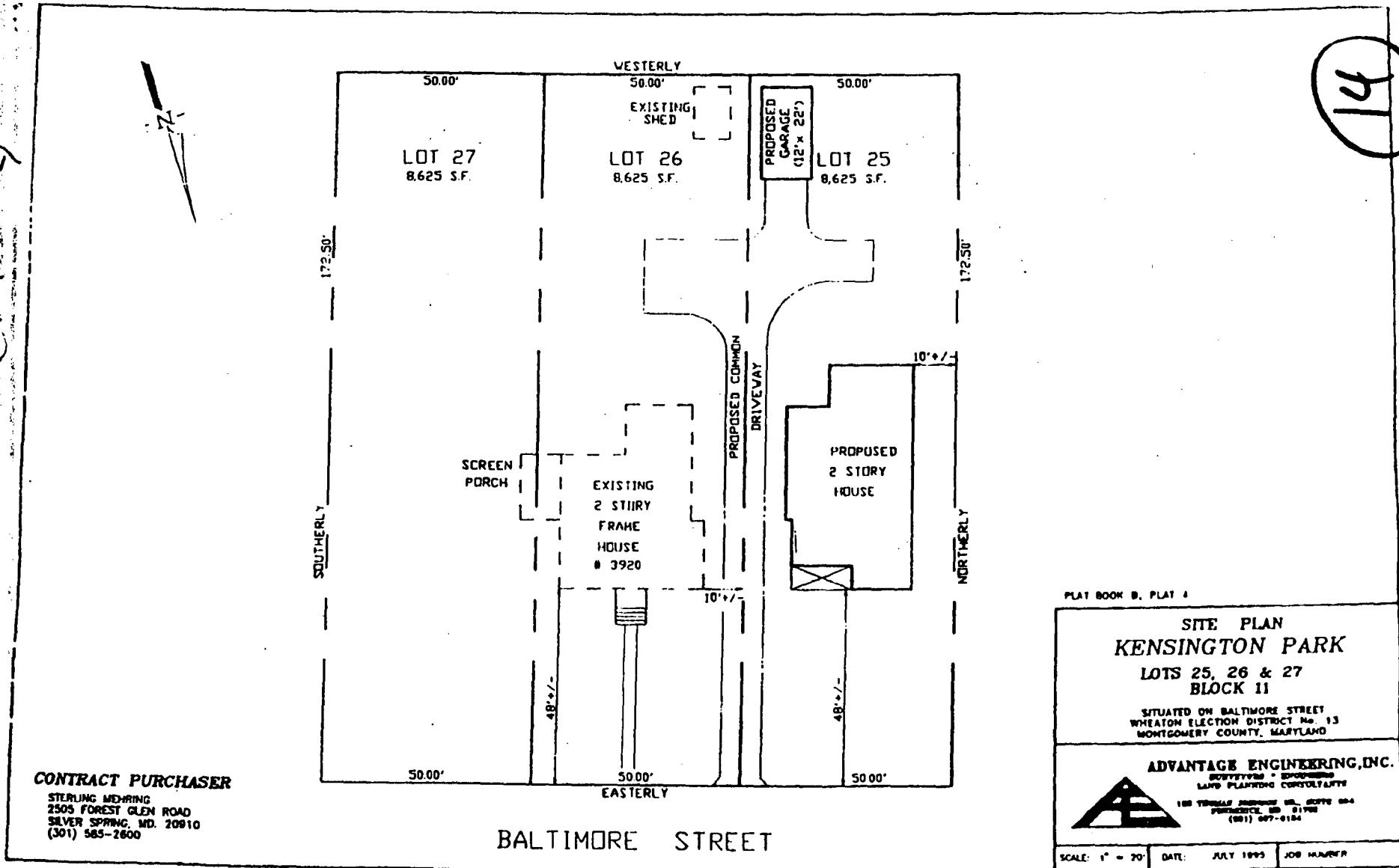
**LIBER**  
**FOLIO**

# **ALLEN ASSOCIATES**

**P.O. BOX 6263  
SILVER SPRING, MARYLAND 20906**

DATE OF SURVEY	SCALE. 1" = 40'
WALL CHECK	DRAWN BY BA
MSE LOC 4-23-83	JOB NO 831188
BOUNDARY	

\* location for title purposes only - not to be used for determining property lines. Property appraiser markers NOT maintained by this location  
Serial shown between is not in a flood plain per existing records unless otherwise indicated.  
L Information, if shown, was obtained from M.N.C.P., S.P.C.



5

# MONTGOMERY DEVELOPMENT PARTNERS

Sterling Mehring

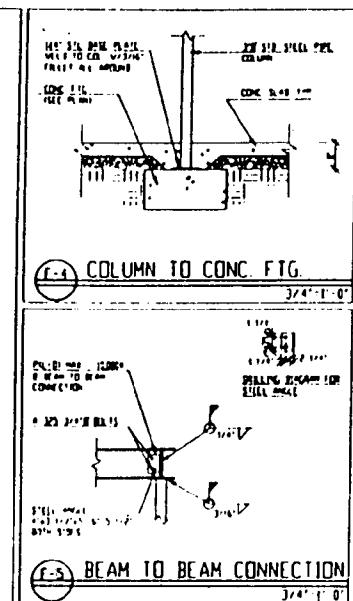
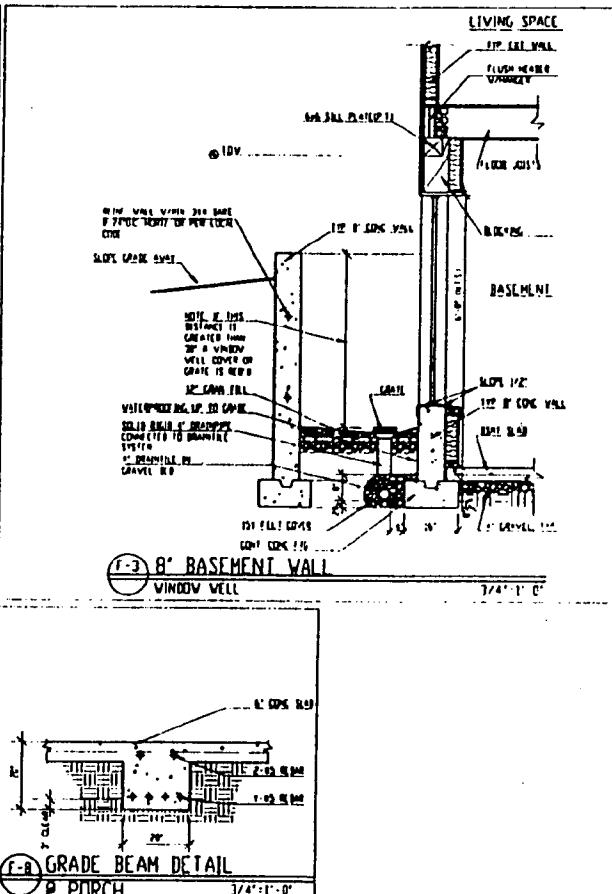
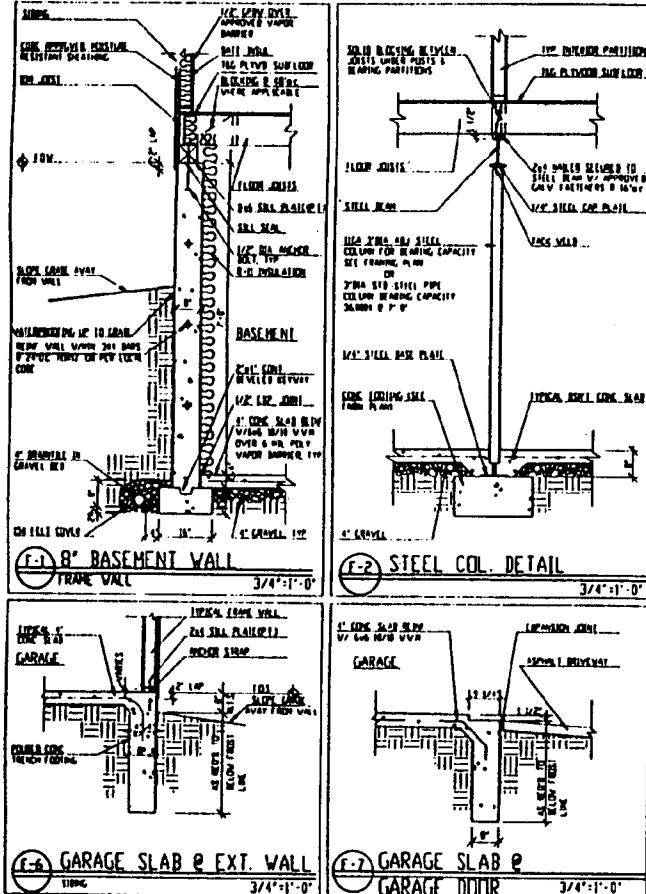
2505 Forest Glen Rd.  
Silver Spring, MD  
20910

Phone    (301) 585 - 2600  
Fax.    (301) 608 - 2527

PROJECT

Lot 25 Block 11  
Kensington, 33 A-11  
3922 Baltimore Street  
Kensington, Maryland

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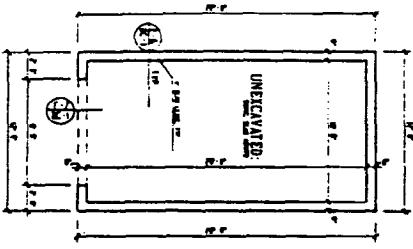
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## THE KENSINGTON

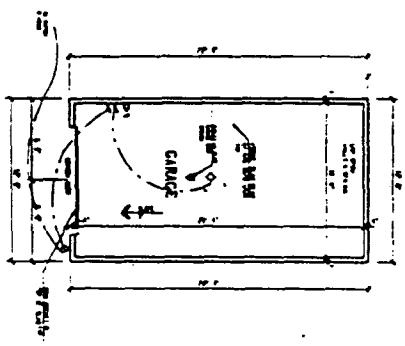
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**Refer to Foundation  
Plans for referencing  
of applicable details  
for this project.  
Substitution or use  
of details not  
referenced to plans  
is prohibited.**

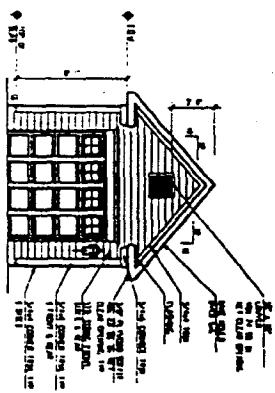
GARAGE FOUNDATION PLAN



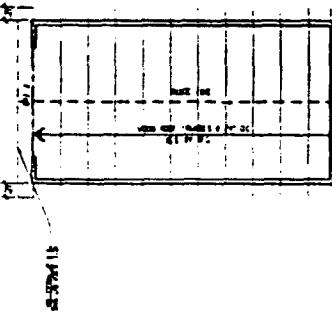
GARAGE FLOOR PLAN



GARAGE FRONT ELEVATION



GARAGE ROOF PLAN

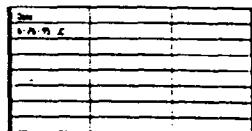


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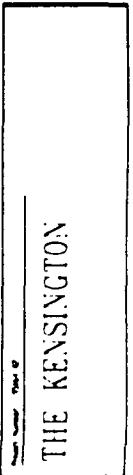
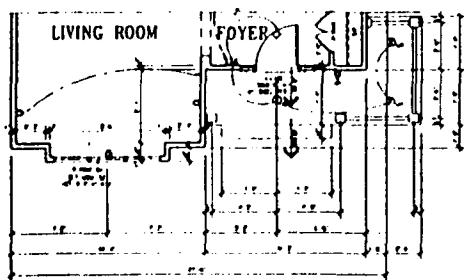
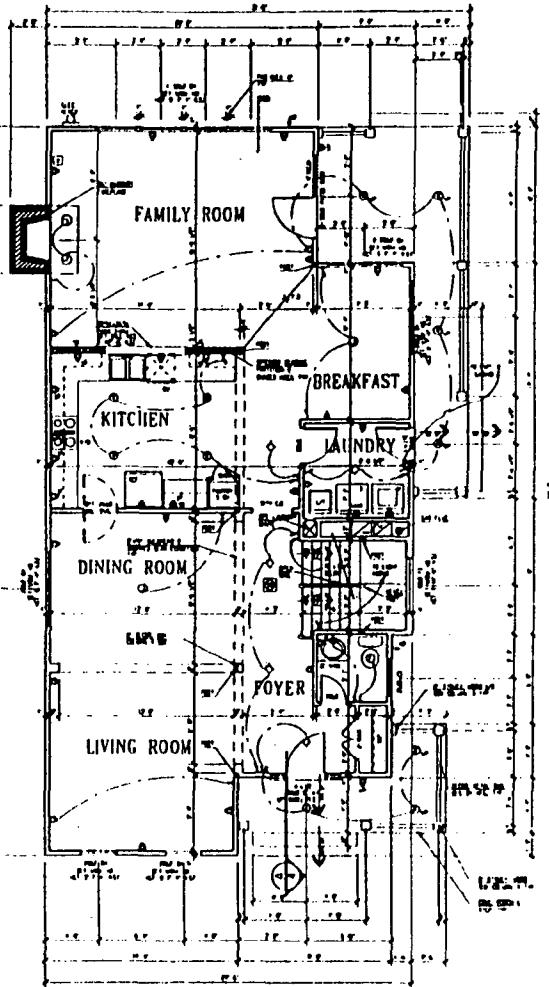
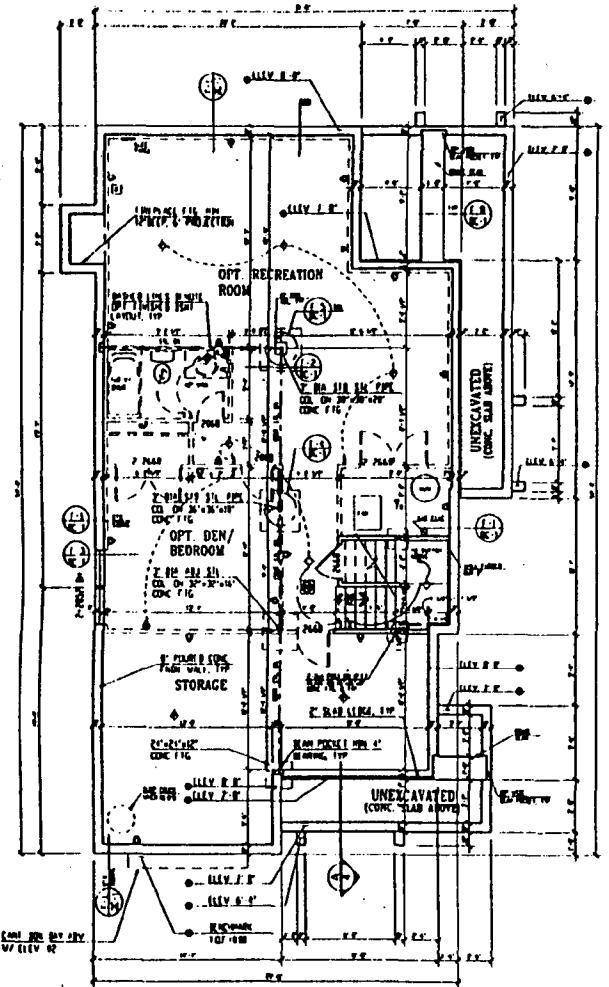


THE KENSINGTON



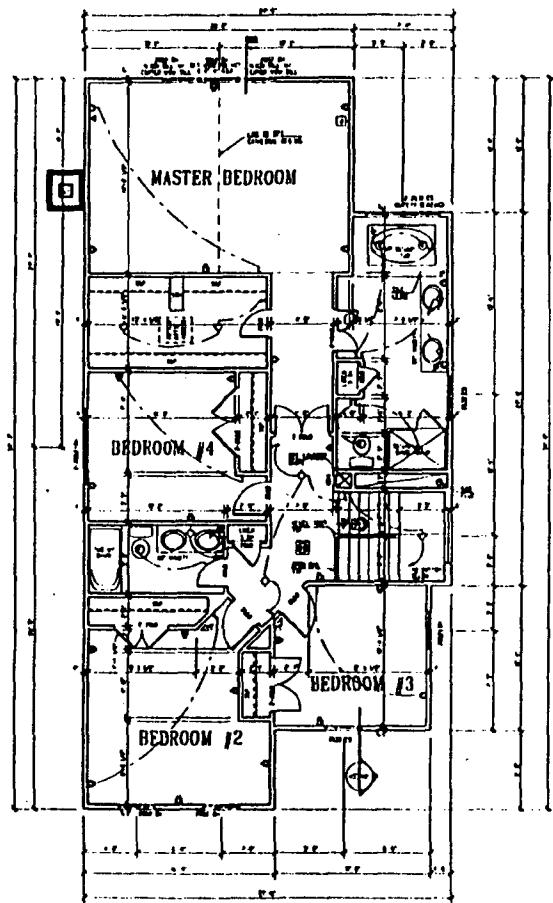
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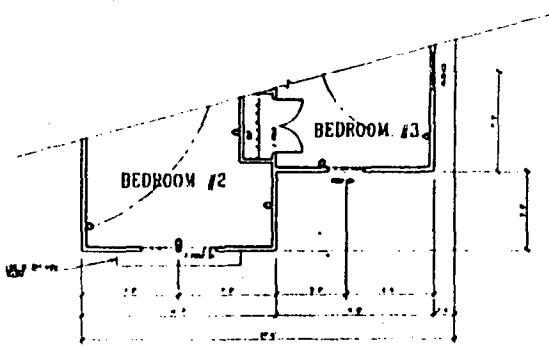
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UPPER FLOOR PLAN

W / ELEVATION #1

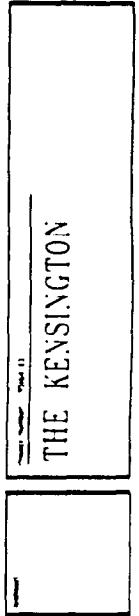
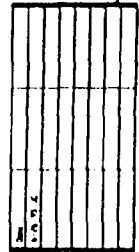
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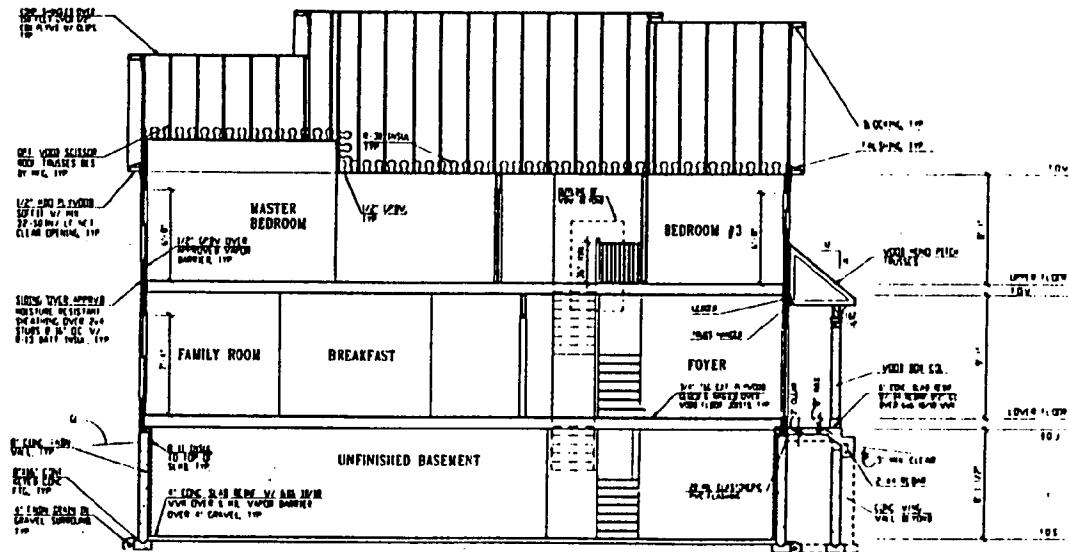
UPPER FLOOR PLAN

W / ELEVATION #2

1/4" = 1'-0"



20



## BUILDING SECTION A

SHOWN W/ ELEV. #1

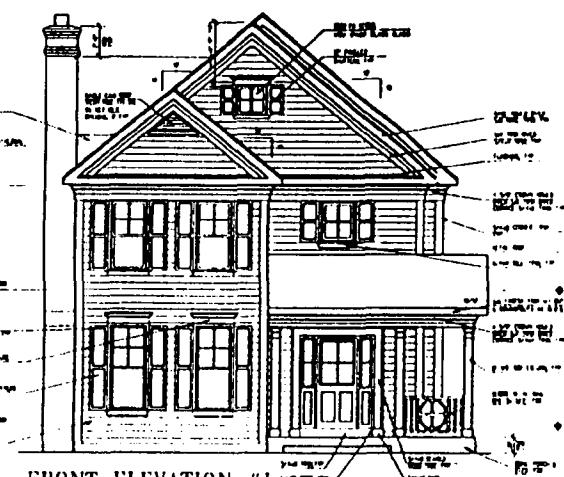
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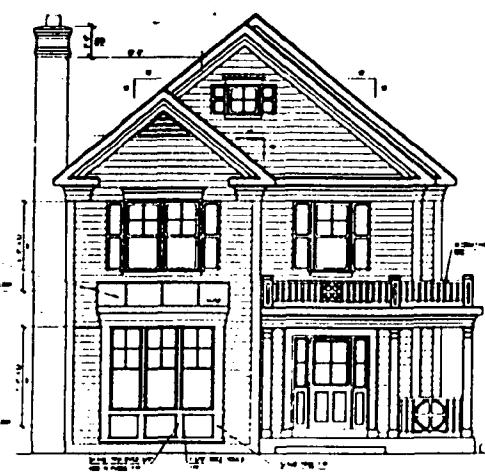
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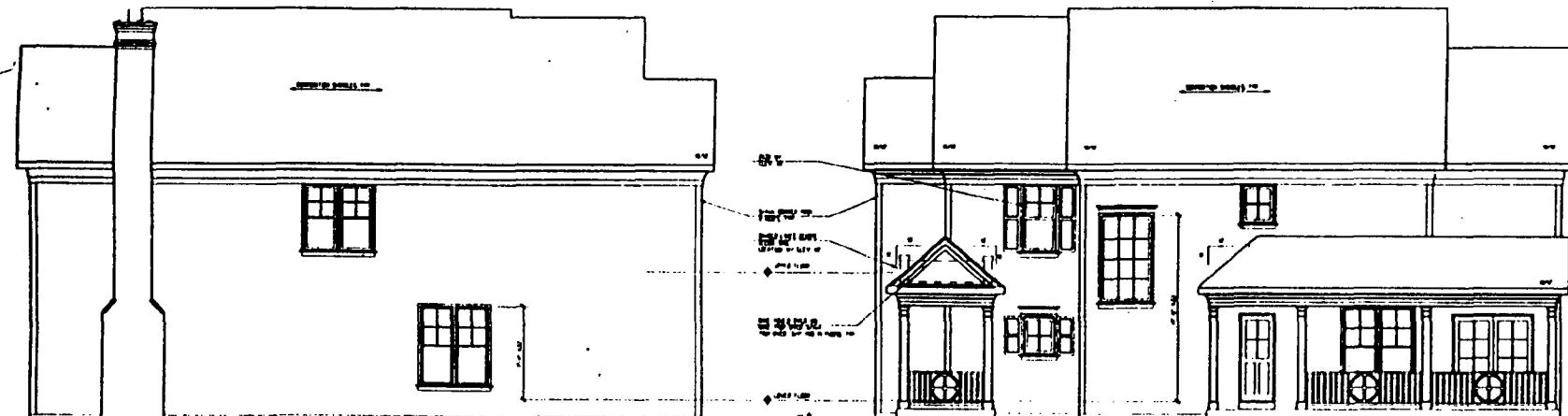


1/4 = 1'-0"



1/4 = 1'-0"

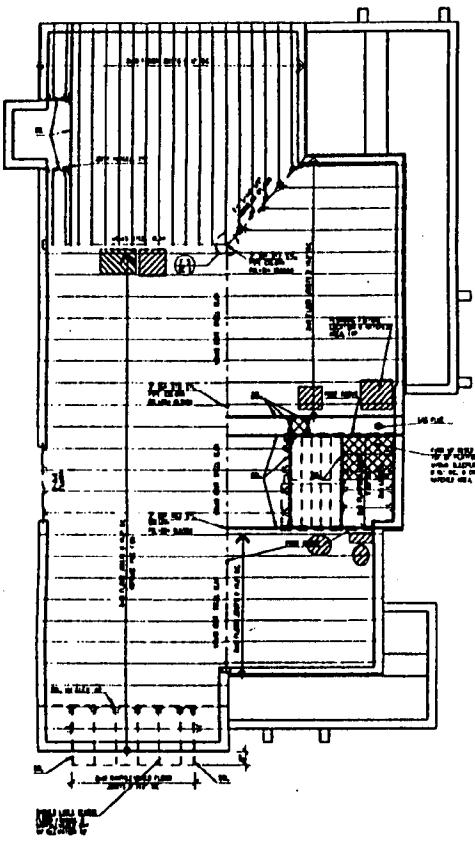
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LOWER FLOOR FRAMING PLAN

1/4"=1'-0"

UPPER FLOOR FRAMING PLAN

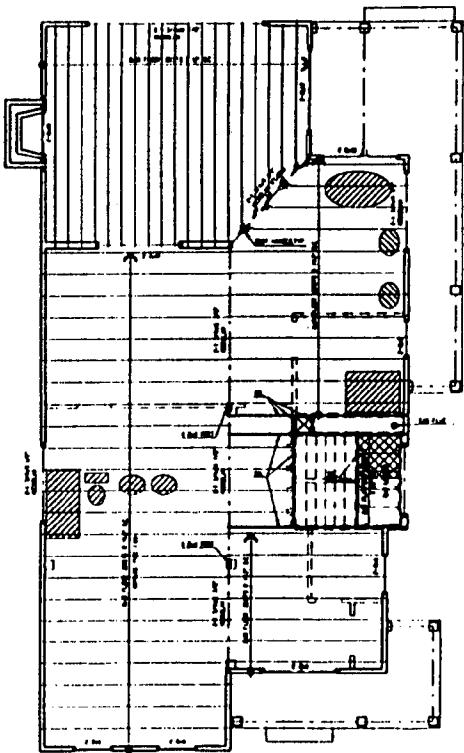
w/ ELEVATION #1

1/4"=1'-0"

UPPER FLOOR FRAMING PLAN

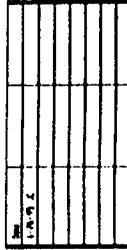
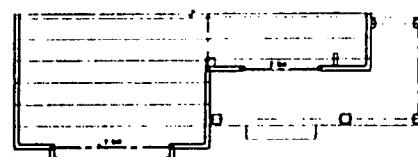
w/ ELEVATION #2

1/4"=1'-0"



1/4"=1'-0"  
ELEV. #1  
1ST FLOOR  
STRUCTURE  
ARCHITECTURE  
INTERIOR DESIGN

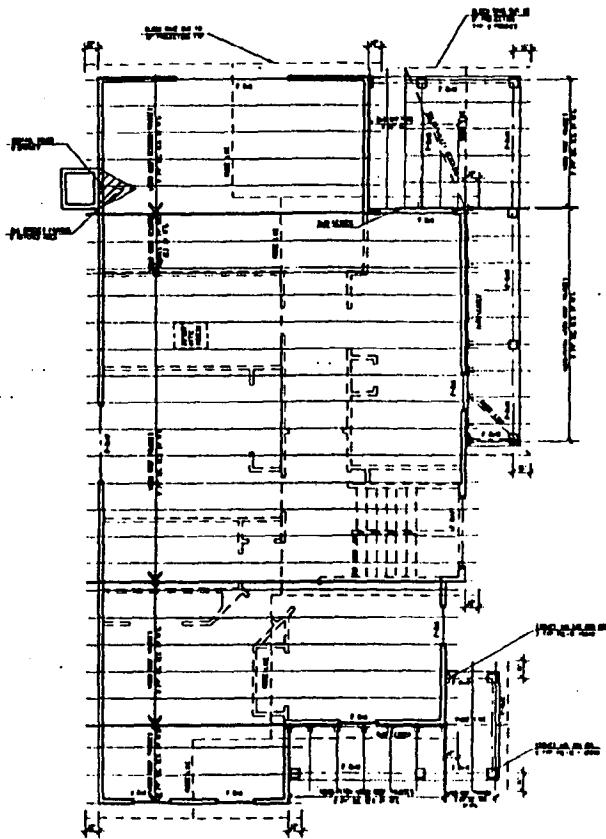
ADJUSTABLE STEEL COLUMNS  
A SYSTEM OF ADJUSTABLE STEEL COLUMNS  
DESIGNED FOR USE IN CONCRETE  
STRUCTURES.  
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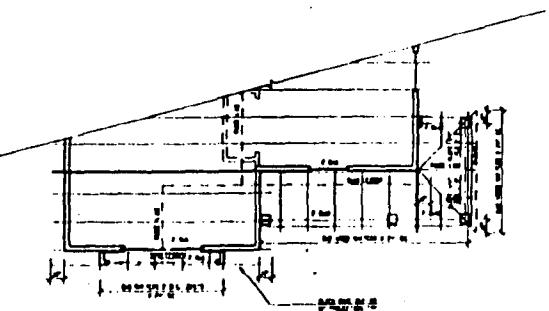
THE KENSINGTON



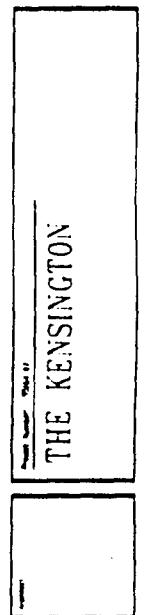
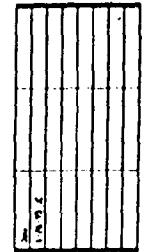
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ROOF FRAMING PLAN  
W / ELEVATION #1



PARTIAL ROOF FRAMING PLAN  
W/ ELEVATION #2

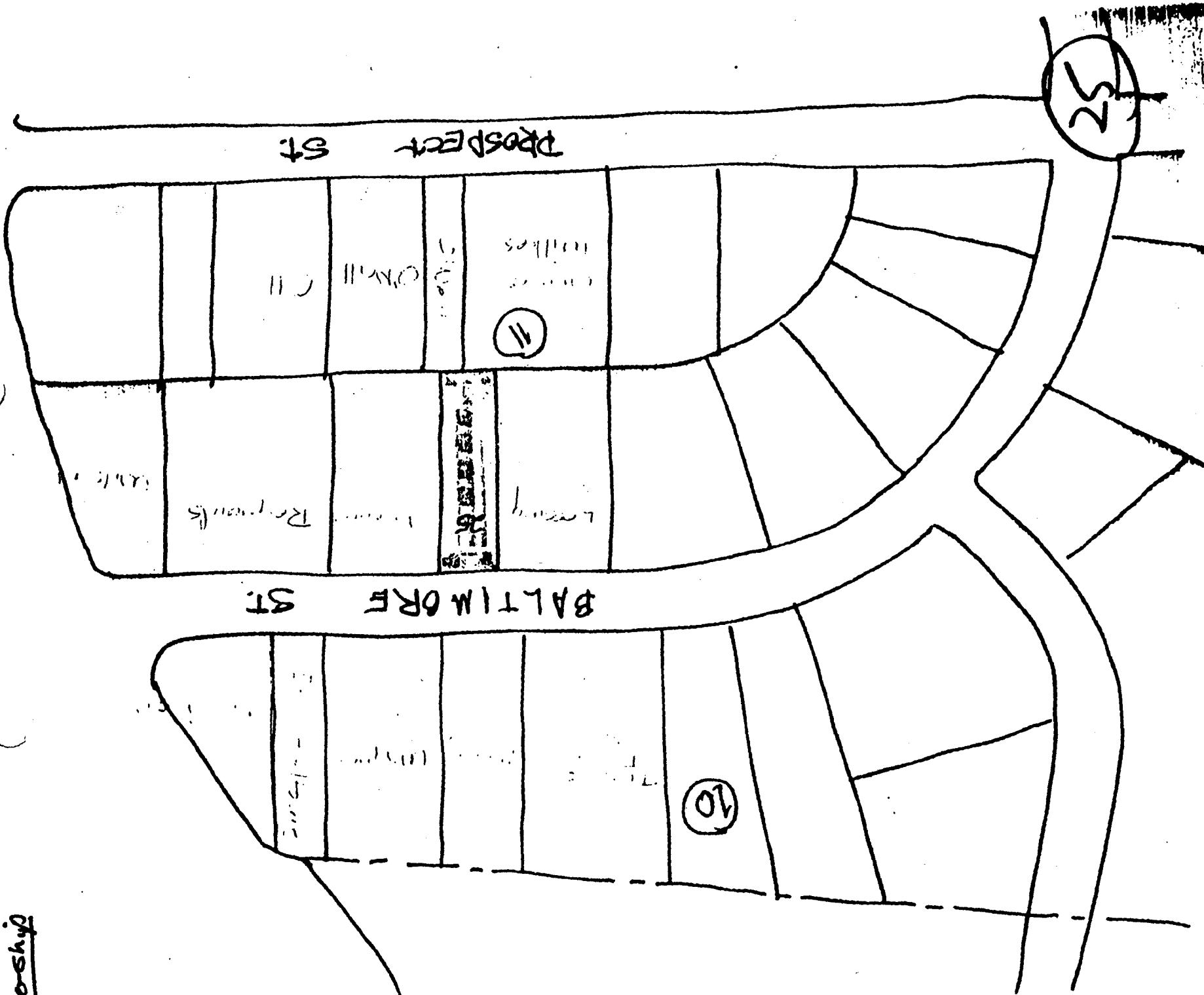


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YANTIS  
ARCHITECTS

3922 BALTIMORE ST., KENSINGTON  
ADJOINERS LIST

Legal Description	Name	Address
Lots 28,29,30 Block 11	Craig and Pat Reynolds	3914 Baltimore St. Kensington, Md. 20895
Lot 6 Block 10	Walter E. Schmitt & Kathryn D. Hoyle	3913 Baltimore St. Kensington, Md. 20895
Lots 7 & 8 Block 10	James and Barbara Wagner	3915 Baltimore St. Kensington, Md. 20895
Lots 9 & P10 Block 10	Seaborn and J. W. McCrory	3919 Baltimore St. Kensington, Md. 20895
Lots 26, 27 Block 11	Jeanie L. Ahearn	3920 Baltimore St. Kensington, Md. 20895
Lots P10, 11, 12 Block 10	Thomas F. and M.J. Fisher	3923 Baltimore St. Kensington, Md. 20895
Lots 23 & 24 Block 11	John H. and J.B. Lossing	3924 Baltimore St. Kensington, Md. 20895
Lots 6 & 7 Block 11	Lawrence I. and M.M. Ott	3911 Prospect St. Kensington, Md. 20895
Lots 8, 9, P10 Block 11	John H. and V.G. O'Neill	3915 Prospect St. Kensington, Md. 20895
Lots P10, 11, 12 Block 11	Charles C. and H.C. Wilkes	3923 Prospect St. Kensington, Md. 20895

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3922 BALTIMORE ST., KENSINGTON

**EXHIBITS**

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3922 BALTIMORE ST., KENSINGTON

**PHOTOS - Lot 25**

Lot From Street



View from Lot



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**3922 BALTIMORE ST., KENSINGTON**

**PHOTOS - Lot 25**

Front of Lot-Looking East

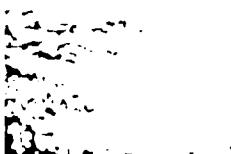


Front of Lot-Looking West



**3922 BALTIMORE ST., KENSINGTON**

**PHOTOS - garage**



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage+**

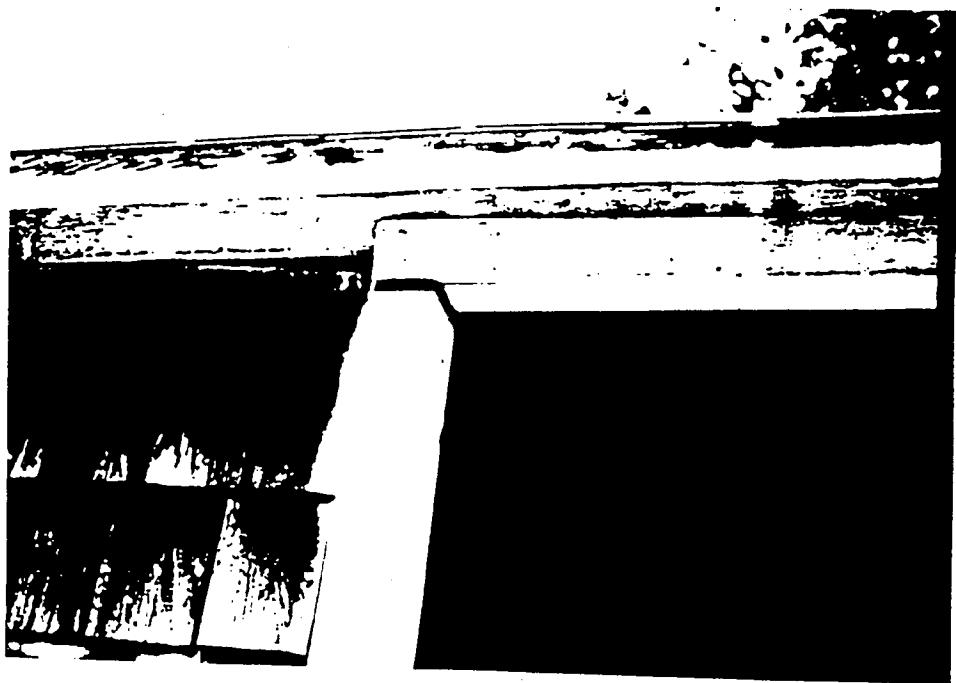
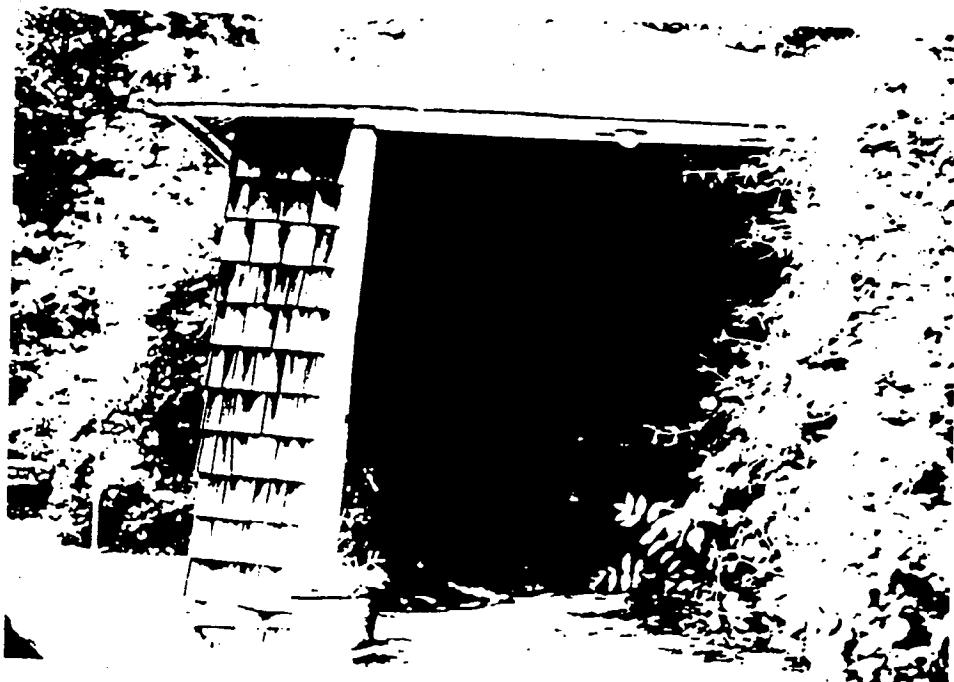
Side



Rear



3922 BALTIMORE ST., KENSINGTON  
**PHOTOS - garage+**



**3922 BALTIMORE ST., KENSINGTON**

**PHOTOS - 3920 Baltimore St.**

House From  
Front of Lot 25



House From  
Lot 25



3922 BALTIMORE ST., KENSINGTON

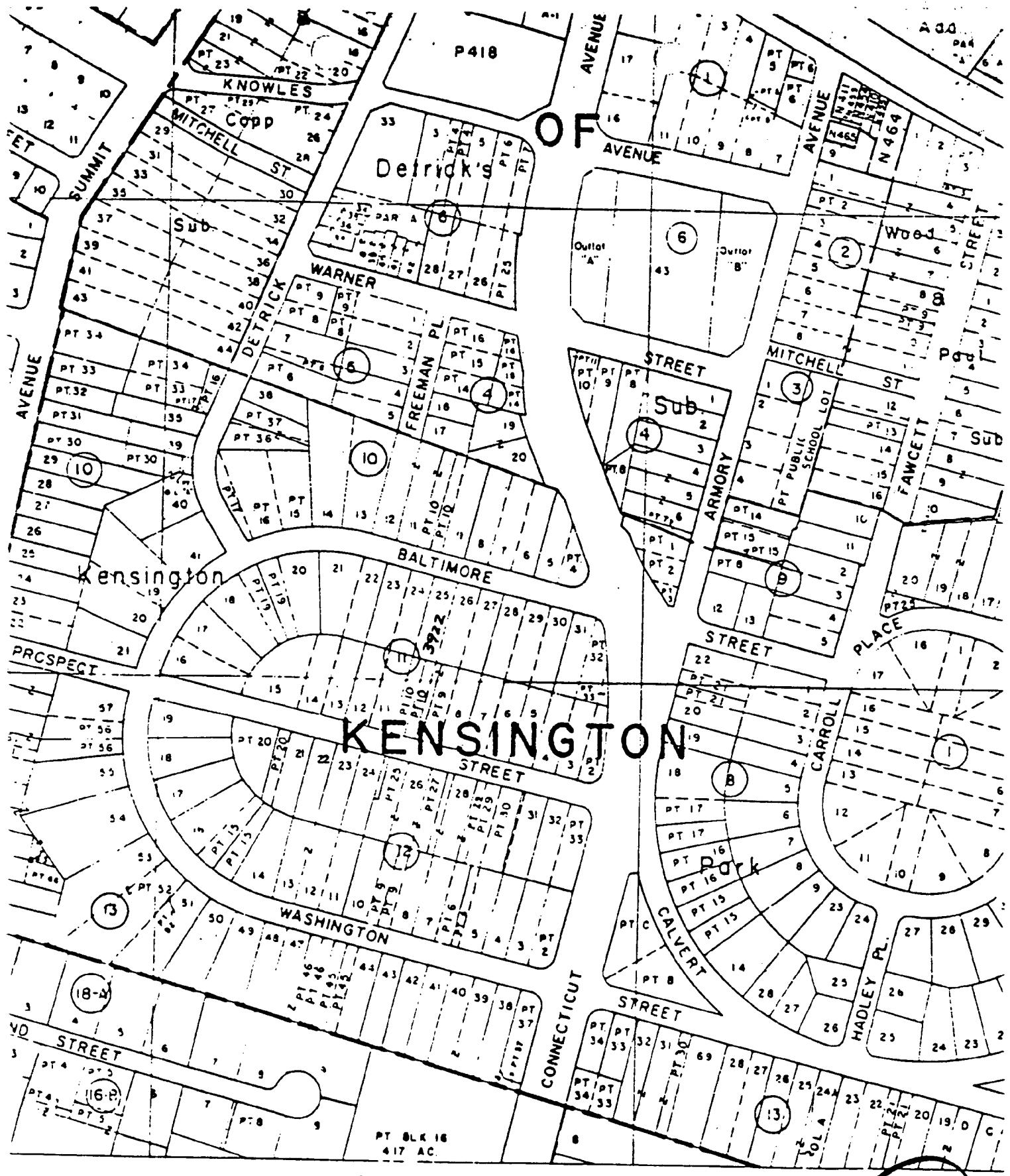
**PHOTOS - 3920 Baltimore St.**

Front View



House From  
Lot 27





H 4

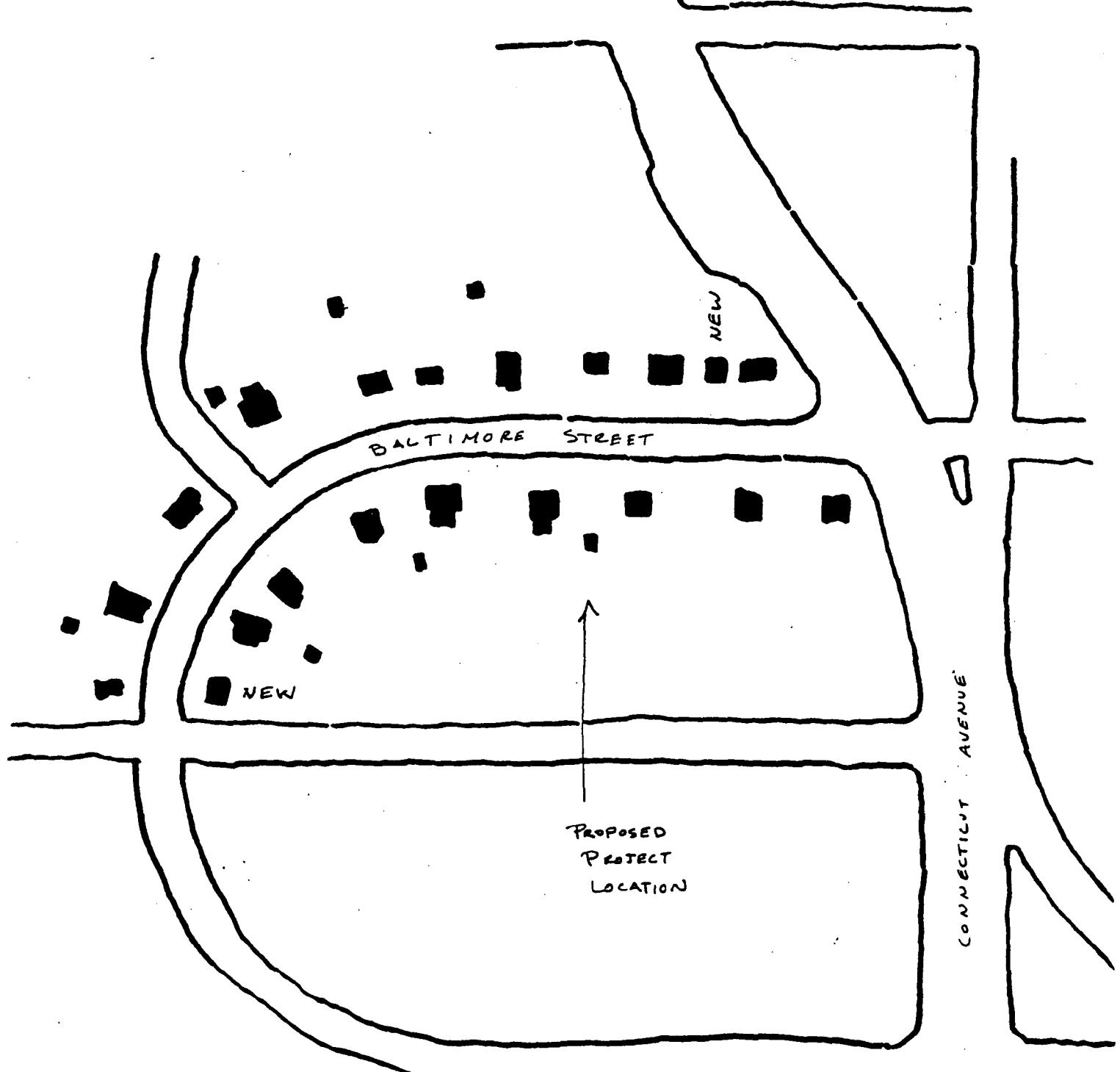
DIST.	CURRENT TO
4	6 - 1 - 83
13	6 - 1 - 83

SCALE 1" = 200'



Map HP 34

W.S.S.C. 213 NW 4



Solid/Void Relationship

## HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: Lot 25, 3920 Baltimore Avenue

Meeting Date: 7/26/95

Resource: Kensington Historic District (31/6)

Review: PRELIMINARY  
CONSULTATION

Case Number: Not applicable

Tax Credit: No

Public Notice: 7/12/95

Report Date: 7/19/95

Applicant: R. Sterling Mehring

Staff: Robin D. Ziek

**PROPOSAL:** New single family dwelling

**RECOMMEND:** Do not  
proceed to  
HAWP

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### BACKGROUND

The Kensington Historic District was established in July, 1986 when the County Council adopted an amendment to the Montgomery County Master Plan for Historic Preservation. As stated in the Amendment (p.2),

"The district is architecturally significant as a collection of late 19th and early 20th century houses exhibiting a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake and Colonial Revival. The houses share a uniformity of scale, set backs and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb."

The purpose of the designation and the role of the HPC is clearly described in the Introduction to the Amendment (p.1):

"Once designated on the Master Plan for Historic Preservation, any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued. The Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

It is the intent of the Master Plan and Ordinance to provide a system for evaluating, protecting and enhancing Montgomery County's heritage for the benefit of present and future residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize

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community support for preservation and minimize infringement on private property rights."

A brief synopsis of the history of Kensington as presented in the adopted amendment follows:

The town of Kensington began as a small crossroads settlement along the Bladensburg Turnpike, an early market road between the County's major north/south route, Old Georgetown Road, and the port of Bladensburg on the Anacostia River in Prince George's County. When the B&O Railroad was built in 1873, the crossroads settlement became known as Knowles Station, named after the major land holding family in the area.

By 1890 Knowles Station had developed into a village of several hundred people, most of whom were living north of the railroad. In that year, Washington financier, Brainard H. Warner, purchased and subdivided property to the south and southwest of the railroad, naming the area Kensington Park after the famous London suburb. The subdivision was designed in the Victorian manner with ample sized lots and a curvilinear street pattern.

Warner established his own summer residence and invited his friends to join him in this park-like setting away from the heat and congestion of Washington. It is this concentration of Victorian period, residential structures located in the center of the town which constitutes the core of the historic district.

#### PROJECT PROPOSAL

The proposal before you is to build a single-family dwelling of 2970 s.f. (footprint @ 1485 s.f.) on a single lot measuring 50' x 172.5'. This is considered "in-fill" housing and staff will discuss below the implications of such construction at this site.

#### Site Description

Lot 25, Block 11 is currently part of a grouping of three lots (25, 26, 27) which provide the environmental setting for the House at 3920 Baltimore Street, and constitutes the west side yard for this house; Lot 27 provides the east side yard. Each of the three lots measures 50' x 172.5' (8,625 s.f.). The driveway is located on Lot 25, and leads to an original "auto house" which is clad in wood shingles similar to those on the house. The original doors are stored inside the garage, and the building has shifted off of its foundations and is need of maintenance work. The lot is relatively flat, and gently rises from the street to the rear yard area. There are some shrubs on this property, and trees to the rear.

The house at 3920 Baltimore Street has been identified as a Primary Resource (1910-1930) in the Master Plan. It is a centered gable I-House with a rear ell, and several additions to the rear and east side. There is some evidence that the house may actually be of an earlier

date than 1910, such as the use of fishscale shingles in the side gables as original cladding (evident on the west gable end where the wood shingles are failing). Staff will look into the construction date further, but clearly there is no question that this resource is a Primary Resource within the Kensington Historic District.

#### Site Location with the Historic District

The dwelling at 3920 Baltimore Street sits on Lot 26 between its flanking side lots which provide a garden setting for the house. With three exceptions (3913, 3941 and 3948 Baltimore Street), all of the other houses on Baltimore Street in this portion between Connecticut and Prospect are Primary Resources dating to 1880-1930.

3920 Baltimore Street is flanked by two large homes sitting on multiple lots. The home to the east, 3914 Baltimore Street, is a Queen Anne Cottage (Primary Resource 1880-1910) sitting on three lots. The house to the west at 3924 Baltimore Street is a large Georgian Revival Cottage (1880-1910) with a hipped roof, sitting on two lots.

The streetscape on Baltimore Street was established with a building pattern where the earliest purchasers typically bought 2 or more platted lots and built only one dwelling on the property (1880-1910). The earliest homes are typically either the Queen Anne style - large homes of irregular shape - or the Georgian Revival Cottage style - large symmetrical homes with hipped roofs. These individual homes sit within a generous landscape where neighbors are close by, but are not typically on adjacent lots. The suburban setting was landscaped, treed, and spacious in contrast to the urban development of Washington, D.C.

The next period of development on this street (1910-1930) included the development of three Colonial Revival style homes on lots purchased from existing homeowners. These dwellings are characterized by their modest scale, massing, and size in contrast with the earlier constructed dwellings.

Finally, there are two recently constructed buildings in this block - 3913 and 3948 Baltimore Street. The proposal for 3948 Baltimore Street came before the HPC prior to the actual date that the designation of the Historic District took effect, and was considered solely from the perspective of "substantial alteration." This level of review is not comparable to the review which is given to any proposals within an established historic district, and does not provide guidance in terms of precedence.

The project at 3913 was approved by the HPC in August 1987, and is of concern to staff as a possible precedence for in-fill construction in the Historic District. However, staff feels that this new construction illustrates the potential concerns with in-fill construction, and illustrates the potential for the loss of the environmental setting for the historic district as a whole, and for individual resources within the district on their own.

The map on Circle 7 provides a quick reference to the pattern of development which led to the existing conditions on Baltimore Street today. There are twenty buildings on Baltimore Street between Connecticut Avenue and Prospect Street, and thirty-four platted lots. The lots are of varying sizes because of the curving street plan. Therefore, the 20 lots which are located in the straight section of Baltimore Street were platted at 50' x 172.5. The individual lots in the curving section of Baltimore are trapezoidal in shape measuring approximately 70' at the street and ca. 50' at the street edge. Therefore, the lots have differing square footage.

The development pattern generally shows that houses in the straight portion of Baltimore Street occurred on multiple lots, while houses within the curving portion of the street, where the individual lots have more square footage, appear sometimes on single lots and sometimes on multiple lots.

The pattern of openness in this community has also been expressed by an evaluation of the distances between houses, which is presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, figure 34 (See Circle 8). The pattern for the entire historic district is illustrated by the evaluation of front yard setback and building separation for Block #11 which includes the south side of Baltimore Street (where 3920 Baltimore is located) and the north side of Prospect Street. In this particular evaluation, the average distance between buildings is 87.3', ranging from 40' to 170'. This block illustrates the point that the overall character of the streetscape is established through a building pattern in the Kensington Historic District which is achieved through a combination of large setback (typically 40') and open space created by the distance between buildings. The intervening open space provides the garden setting for the entire district, as well as views across yards which provides the opportunity for long views through the community; this helps to tie the different blocks together.

The existing development of the Kensington Historic District can also be characterized by the percentage of lot coverage. As presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, table on page 47 (Circle 9), the average lot is .42 acres (18,295 s.f.) and the average lot coverage is 9%. The proposed development is on a lot size of only 8,625 s.f. or 47% of the average lot size. The new construction would have a lot coverage of 20.3%, or 2.25 times the average lot coverage.

#### PROJECT DESCRIPTION

The applicant proposes to build a two-story single-family dwelling on Lot 25. The applicant proposes the removal of the existing driveway and garage, and the construction of a new driveway to be shared by the new house on Lot 25 and the existing house on Lot 26. The house which is being proposed has a footprint of approximately 1485 s.f. and would be a total of 2970 s.f. A single-car garage is also proposed for the rear with a footprint of 264 s.f. The total lot coverage would be 20.3%.

The new house would be set 48' back from the street, with a side setback of 10' on the west side, and 12.4' from the east boundary. The proposed house would be approximately 22.4' from the house on Lot 26, and approximately 15'-20' from the house at 3924 Baltimore Street.

The proposed new house is in a "neo-style", which includes an irregular massing which is reminiscent of the Victorian Queen Anne houses, but has gable detailing and trim which is more reminiscent of the Colonial Revival style. The proposed structure would utilize a steep roof pitch and windows with 4/1 light. The garage is proposed in the same neo-styling. The applicant has indicated that this particular house design was drawn up for another location and is proposed for this site as well.

#### STAFF DISCUSSION

Staff has some concerns with various aspects of this proposal, which include: encroachment on environmental setting of the Historic District and the individual resources within the district, the proposed demolition of a historic outbuilding, and the incompatibility of

the proposed development with existing patterns of development. This includes the loss of open space, the proposed percentage of lot coverage, and the proposed use of a 19th century style of architecture in the 20th century when there is a pattern of development in the 20th century which is part of the historic district development.

In the determination of environmental setting for an individual site, the HPC considers boundaries of a sufficient size which will provide the maintenance of the historic setting. In a rural site, such as a farm complex, for example, the environmental setting may be set at several acres to achieve the historic feeling. The determination of the boundaries of a suburban historic district is the equivalent of the environmental setting for an individual site. The boundaries are chosen to encompass the historic resources in their individual environmental settings which provide the sense and feel of a "district". In other words, the district is an accumulation of individual sites, none of which need to have "individual distinction, provided that the grouping achieves significance as a whole within its historic context." (page 5 of Bulletin #15.) The basic importance of a district is the fact that it is a "unified entity, even if it is often composed of a wide variety of resources." (page 5 of Bulletin #15.)

The studies on Kensington which quantified open space, lot coverage, existing rhythm of development all provide measurable ways to evaluate the effect of proposed changes and alterations to the historic district.

The issue of environmental setting is central to the designation of any historic site or district because it is key in the retention of integrity of the district. It may be helpful to quote from the National Register Bulletin #15, page 46 which discusses the evaluation of integrity of historic districts:

"For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into considerations the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- o if has been substantially altered since the period of the district's significance or
- o it does not share the historic associations of the district."

Further assistance in staff's evaluation of this proposal is provided by the National Register Bulletin #30 which provides guidelines for the evaluation of rural historic landscapes.

While Kensington is clearly a suburban rather than rural historic district, the description on page 23 of Bulletin #30 concerning threats to integrity is helpful:

"Integrity may also be lost due to the cumulative effect of relocated and lost historic buildings and structures, interruptions in the natural succession of vegetation, and the disappearance of small-scale features that defined historic land uses."

In the case of this particular proposal, several elements within the historic district of Kensington are proposed for demolition: the open space, the relationship of adjacent homes to each other and to the landscape, and the historic outbuilding or "auto house".

The small garage was an important element in all of the suburbs around Washington. While Kensington first developed around the railroad mode of transportation, the suburban development around Washington really expanded dramatically with the introduction of the low-cost automobile. At that point, every house added an "auto house", which is best illustrated in the Sanborne insurance maps. This particular garage may have been added after the construction of the original house at 3920 Baltimore Street, but is clearly a historic outbuilding which provides physical evidence of the historic development of Kensington. There are several small garages of this scale still in Kensington, but a brief survey of Baltimore Street illustrates that many of these key outbuildings have already been lost.

#### STAFF RECOMMENDATION

Staff recommends that the HPC find that the proposed new construction within the Kensington Historic District would be detrimental to the integrity of the Historic District. The proposal would not be compatible with the existing patterns of development including rhythm of building to open space, or the environmental setting of the District. This is based on the fact that the proposed new construction would substantially exceed existing average lot coverage, would be substantially below existing average distances between dwellings, that this represents a cumulative loss of integrity for the Historic District as a whole through the above non-conformance with existing development patterns and with the demolition of an existing historic outbuilding.

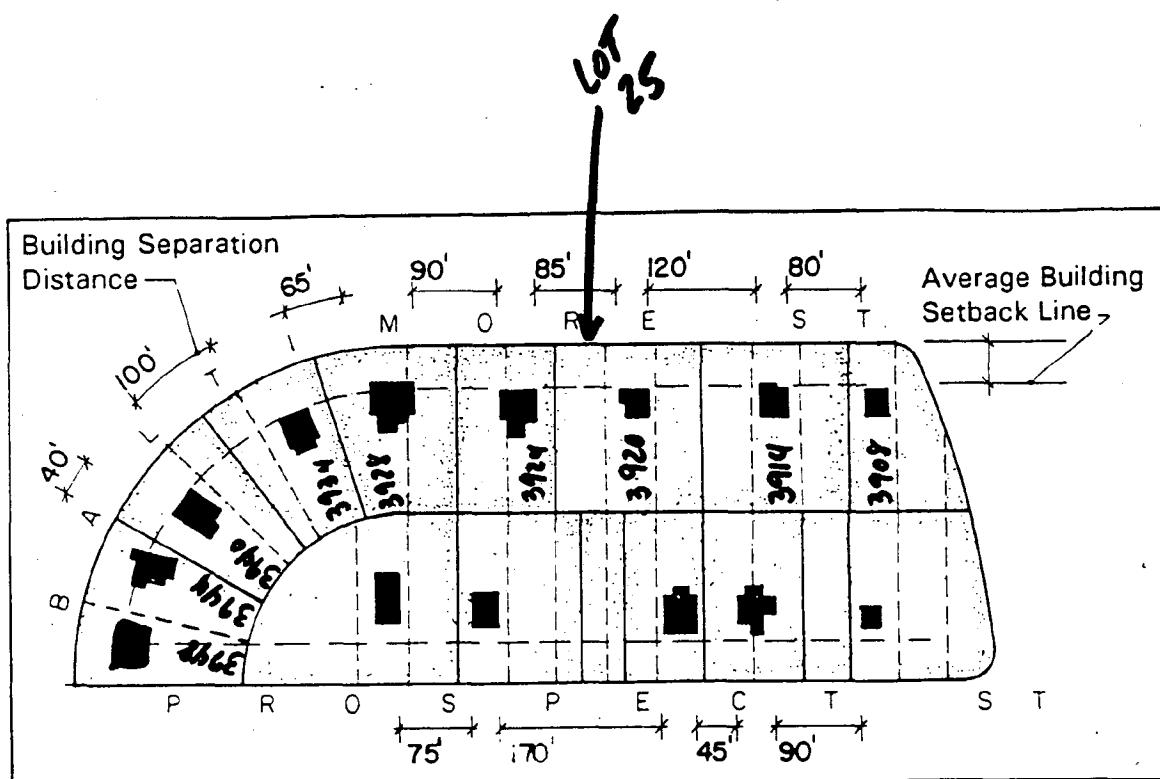
Staff acknowledges that the seller is willing to forego development on Lot 27 if the construction on Lot 25 is permitted. However, staff recommends that diminution to the Historic District as a whole would be threatened by the incompatible development on Lot 25 which is not addressed by the easement proposal for Lot 27.



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### **Relationships of Front Yard Setback and Building Separation**

The front yard "setback" is the distance a building is set away or back from the property line on the street or road which it fronts. The front yard setback determines how prominent a building is in the streetscape of a community. When many buildings are involved, a pattern can be established which helps to define the character of the streetscape through the width of sidewalks, the amount of green space (lawn or vegetation area) between street and building, the apparent scale of the buildings in relation to pedestrians, and other subtle qualities of the community. In combination with setbacks, building separation distances establish the openness or visual porosity of the streetscape. Buildings which are separated allow for view and landscape elements in the interstitial space. These relationships are illustrated in the map titled Kensington Historic District Vacant Land and Open Space(Figure 34).



### **Lot Coverage Patterns**

Lot coverage is the ratio of the building footprint area to the overall lot area, and it reflects the density of development on a given parcel of land. Lot coverage was identified using planimeter take-offs of the building footprint area from the County's topography maps and compared with lot areas to determine percent of coverage as given in the table Kensington Historic District Lot Characteristics. Analysis of lot coverage in Kensington reveals that the density of development is greater for the overall district than in the areas where the primary resources are located. This is related to the inclusion of the commercial district for the calculation, as well as the use of fewer lots per dwelling for post-1930s' construction. The lower lot coverage figures for primary resources reflects the pattern of using multiple lots for the older primary resource dwellings.

**Kensington Historic District Lot Characteristics**

Category		Entire District	All Primary Resource Properties	1880 - 1910 Properties
Lot Area	Maximum	3.3 acres	3.3 acres	3.3 acres
	Average	0.40 acres	0.38 acres	0.42 acres
	Minimum	0.15 acres	0.15 acres	0.18 acres
Lot Coverage	Maximum	25%	25%	25%
	Average	15%	10%	9%
	Minimum	5%	5%	5%
Front Yard Setback	Maximum	65 ft	65 ft	65 ft
	Average	33 ft	35 ft	38 ft
	Minimum	0 ft	20 ft	20 ft
Building Separation	Maximum	170 ft	170 ft	170 ft
	Average	40 ft	55 ft	75 ft
	Minimum	15 ft	20 ft	50 ft

Wednesday, July 05, 1995

Historic Preservation Commission  
c/o Gwen Marcus  
8787 Georgia Ave  
Silver Spring, Md. 20910

Dear Commissioners:

I am requesting an opportunity to discuss our proposed project in the Kensington Historic District and to seek your guidance prior to formally applying for Historic Area Work Permit. I understand the next meeting I can participate in will be July 26, 1995.

It is my intention to build a house that will be a compliment to the street. I have sought to do this by studying the features and characteristics of the existing houses in the District. Ms. Marcus has supplied me helpful information on precedent architecture in Kensington. I feel the plans I am submitting for your comment is a sensitive response what is most frequently found when you look at existing architectural styles, roof form, building material, symmetrical and directional expression, and important exterior features.

I understand that style and features of new construction is not the only issue that may be of concern to the Commission. I recognize the appearance of this house should not try to overpower its neighbors. Therefore the body of this house is only 26' wide at the front, it is 30' wide including the porch. To further reduce the prominence of this house my plan is to hold the house well back from the established setback of the existing homes on the street.

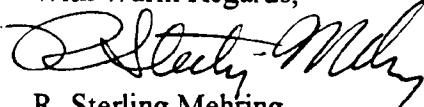
Another issue, but one where sensitivity and good intentions can do little to mitigate, is that of development of vacant lots in the district. I recognize there is a desire to maintain the spacing between resource properties, even when these spaces are made up of valuable, approved, and recorded lots that conform to existing zoning laws. There is, of course, established precedent for H.P.C. approval of developments like mine, 3913 (lot 6 bk10) and 3948 Baltimore St. (lot 16 bk11) both in 1987. I would like to state two points where the H.P.C. and the community may find it serves the long term interests of preservation to approve my plan.

1) If an acceptable plan is approved for a house of no less than 2600 SF the current owner of record of lots 25, 26, & 27 will sign for recordation a covenant or easement benefiting the H.P.C. that will perpetually prohibit the development or separation of lot 27.

2) The seller of lot 25 is selling this valuable property in order to raise funds needed to finish the restoration of the resource property at 3920 Baltimore St which could use the investment.

I look forward to meeting with you the 26th of July.

With Warm Regards,

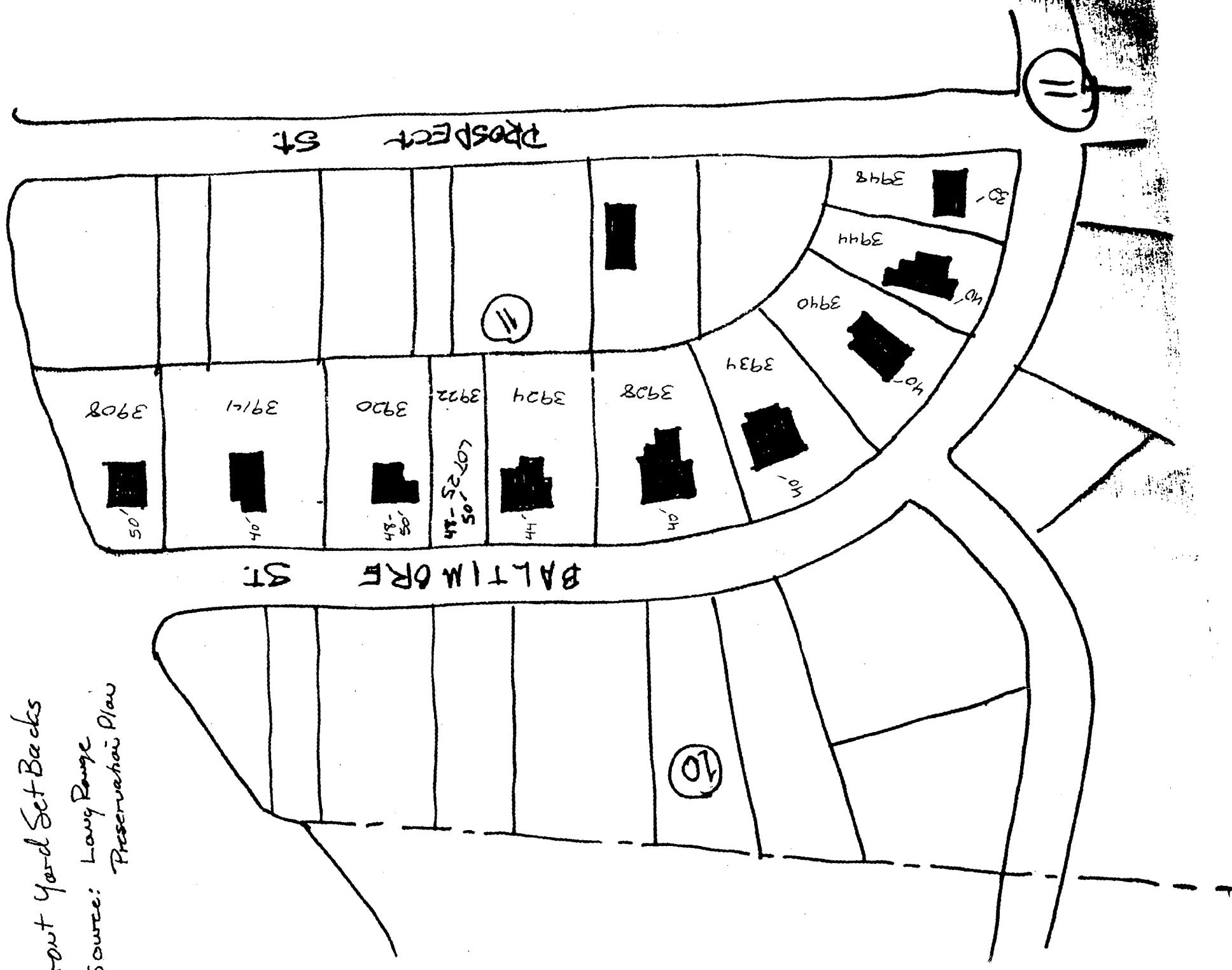


R. Sterling Mehring  
301-585-2600

(10)

## Front Yard Set Backs

Source: Long Range  
Preservation Plan



**3922 BALTIMORE ST., KENSINGTON**  
**PROJECT DESCRIPTION**

We will be requesting a HAWP for:

- 1) **Removing** the existing driveway and a 12' wide structure which is described as a garage or shed.

The existing condition is highly deteriorated and is probably beyond repair. Specifically, the bottom plates on the front wall, the front east side wall, and the rear west side wall are off the footing and progressively collapsing. The roof is leaking and sagging. There is severe damage from rot or termites in the It does appear to be original or significant

- 2) **To build a Single Family Residence** on lot 25 Block 11 Kensington Park according to the attached plans (delivered to you 3/32:1' scale).

- Elevation #1
- 2645 SF, 4 Bedroom 2 & 1/2 Baths
- 1 Car Detached Garage, with 14' shared driveway with 3920 Baltimore St.
- Porch Roof - Standing seam tin roof
- Windows - 2 over 1 or 4 over 1, true divided light, wood sashes
- Frequent use of doubled windows
- Siding - painted clapboards - "Omniwood" A processed product I prefer over wood siding for its superior paint holding characteristics. Wood corner boards
- Shutters - mounted on operable hinges.
- Half light door with side lights

*CHANGES NOT YET INCORPORATED INTO THE PLANS*

- Delete Wood Boxed Column, Now Turned porch posts - Tuscan
- Side and rear porch to be narrowed 18" to make an overall width of 30' in the rear.
- Plan as shown will be reversed to allow porches to face driveway

R. STERLING MEHRING  
2505 FOREST GLEN RD.  
SILVER SPRING, MD. 20910  
301-585-2600/ fax 301-608-2527



HOUSE LOCATION  
 LOTS 25, 26 & 27 BLOCK 11  
 KENSINGTON PARK  
 MONTGOMERY COUNTY, MD.

7

8

9

10

28

172.5'

LOT 27

BLOCK 11

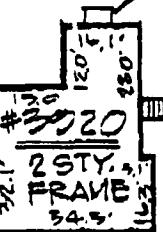
LOT 26  
25-275 \$

LOT 25

10'x16'  
PORCH

BW

56'±

5'x3'-  
STOOP

48'±

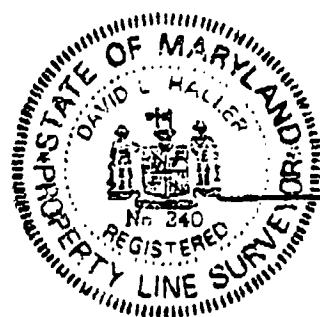
7.5'x4.5'  
STOOP18.5'x12.5'  
GARAGE

Remove

24

50.0' 50.0' 50.0'

BALTIMORE STREET



## CERTIFICATE

I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY A TRANSIT-TAPE SURVEY AND UNLESS OTHERWISE OWN THERE ARE NO ENCROACHMENTS

*DAVID L. HALLER*  
 DAVID L. HALLER  
 MARYLAND R.P.L.S. NO. 240

## REFERENCES

PLAT BK.

B  
4

PLAT NO

LIBER  
FOLIO

ALLEN ASSOCIATES

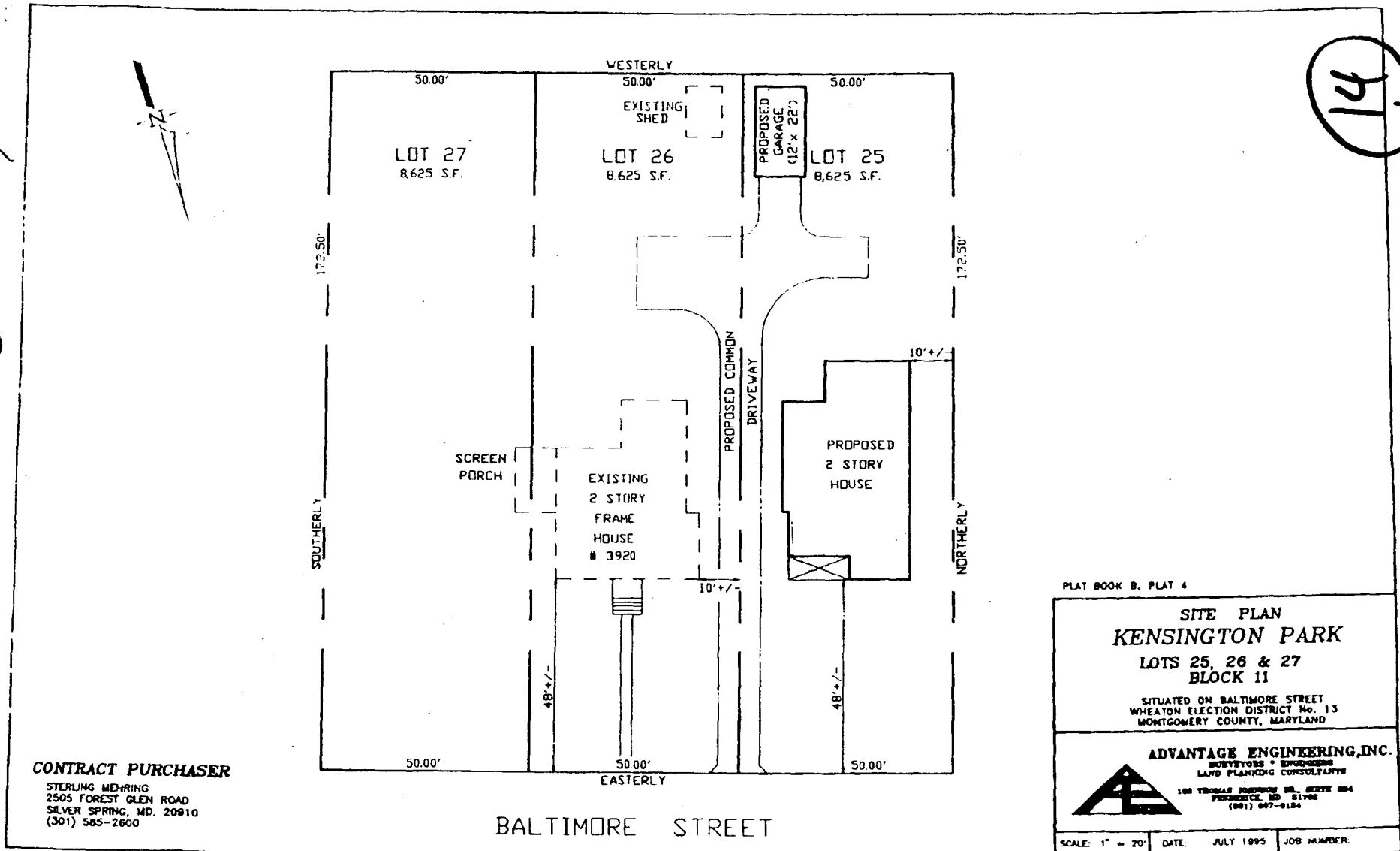
P.O. BOX 6263  
SILVER SPRING, MARYLAND 20906  
301-871-2156

DATE OF SURVEY	SCALE
WALL CHECK	1" = 40'
HSE LOC. 5-22-89	DRAWN BY BA
BOUNDARY	JOB NO BD 1188

This location for title purposes only - not to be used for determining property lines. Property corner markers NOT guaranteed by this location.  
 Property shown herein is not in a flood plain per existing records unless otherwise indicated.  
 I.R.I. Information, if shown, was obtained from M.N.C.P., S. P.C.

1

14



(S)

## MONTGOMERY DEVELOPMENT PARTNERS

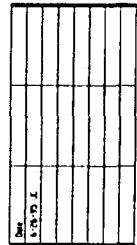
Sterling Mehring

2505 Forest Glen Rd.  
Silver Spring, MD  
20910

Phone (301) 585 - 2600  
Fax. (301) 608 - 2527

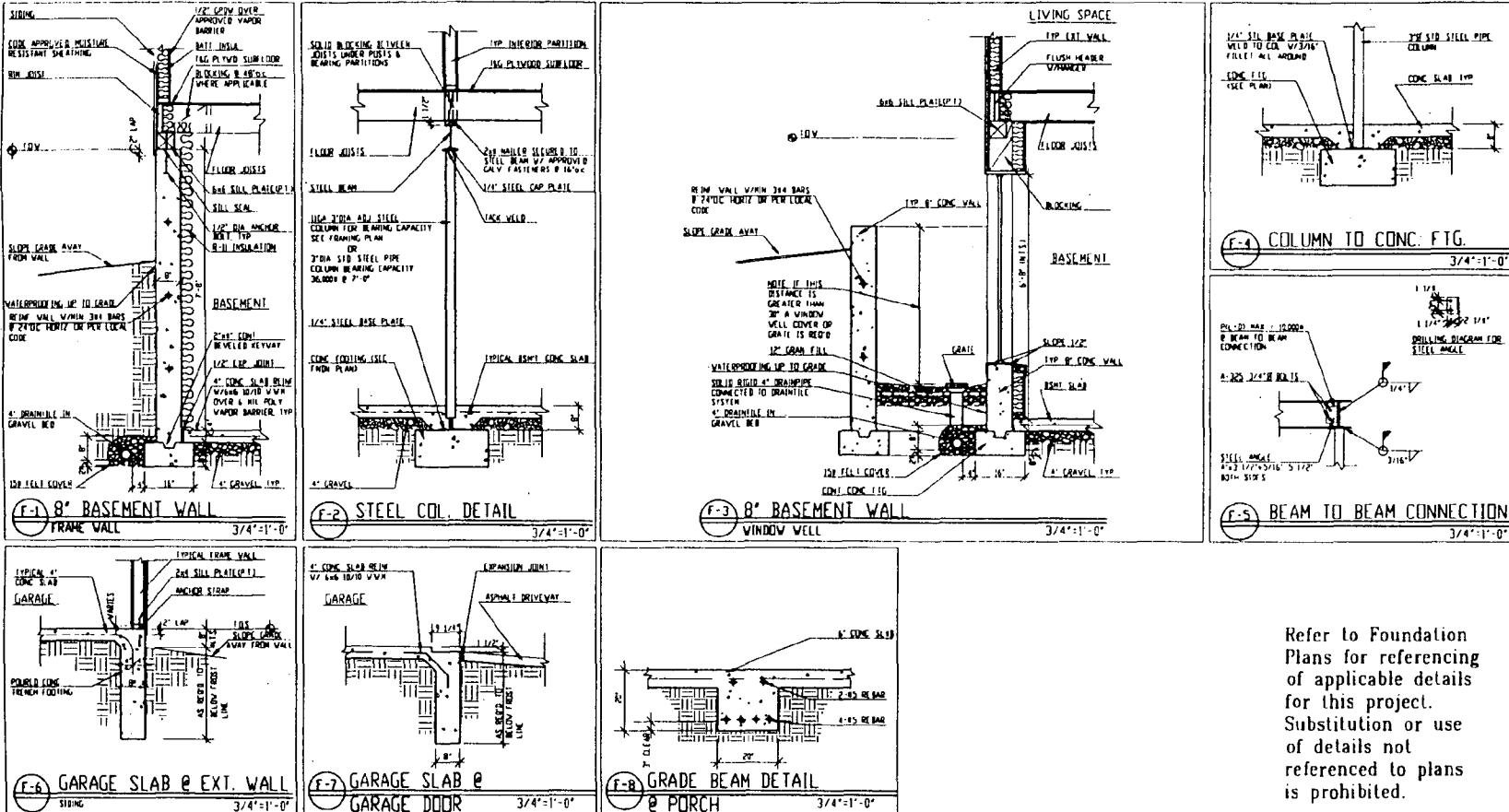
PROJECT

Lot 25 Block 11  
Kensington, 33 A-11  
3922 Baltimore Street  
Kensington, Maryland



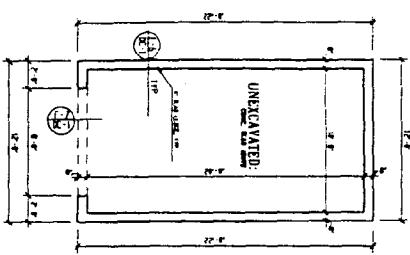
THE KENSINGTON

Refer to Foundation Plans for referencing of applicable details for this project. Substitution or use of details not referenced to plans is prohibited.



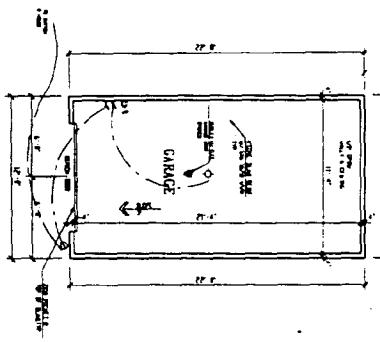
GARAGE FOUNDATION PLAN

1/4" = 1'-0"



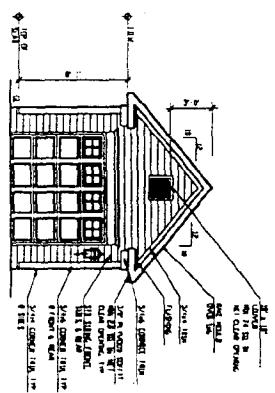
GARAGE FLOOR PLAN

1/4" = 1'-0"



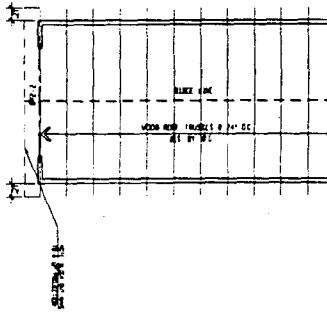
GARAGE FRONT ELEVATION

1/4" = 1'-0"



GARAGE ROOF PLAN

1/4" = 1'-0"



SUTTON,  
SULLENB  
YANTIS  
ARCHITECTS

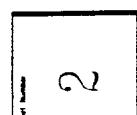
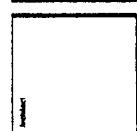
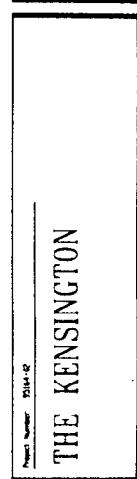
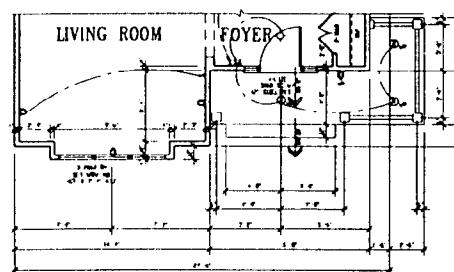
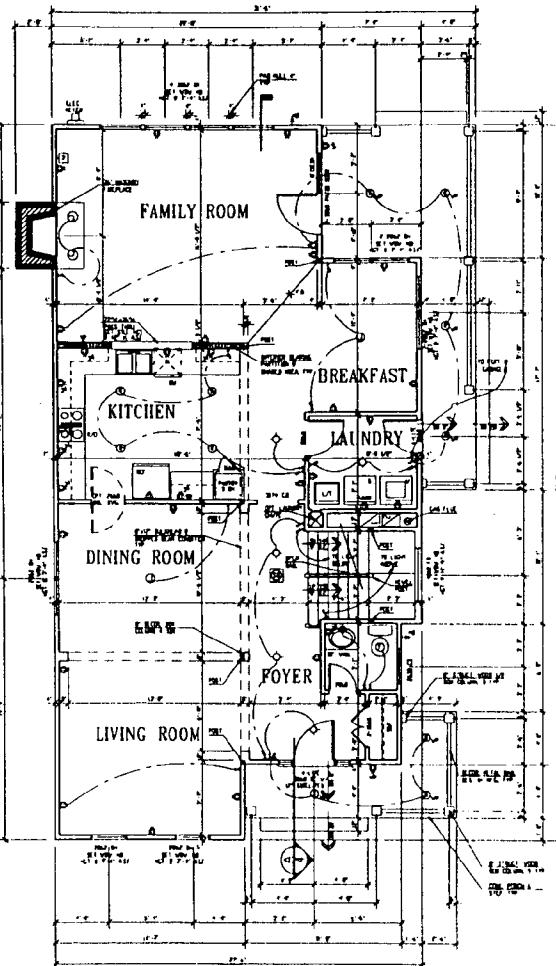
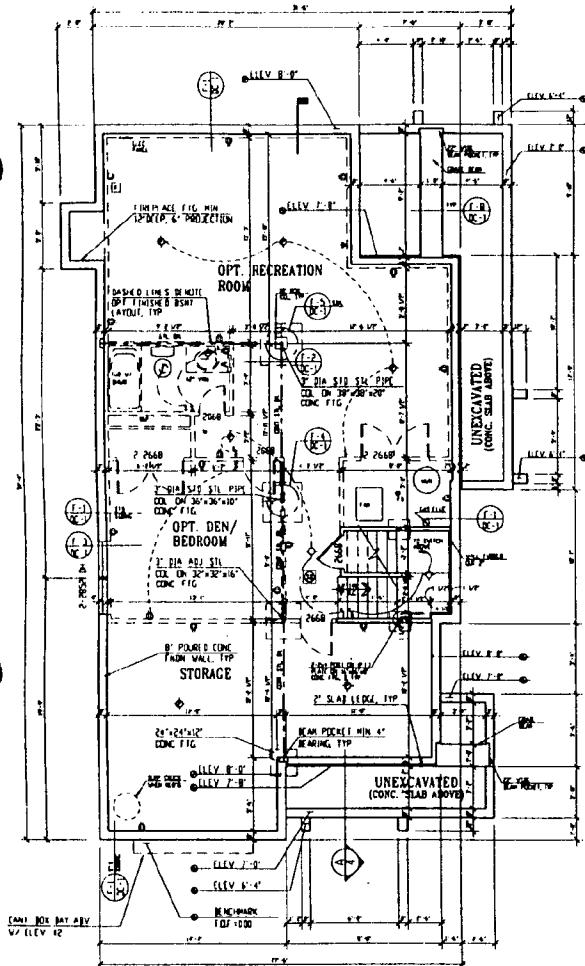
Architect: \_\_\_\_\_

Project Number: 90144-G1  
THE KENSINGTON

Date	6-26-95	AC

17

(18)

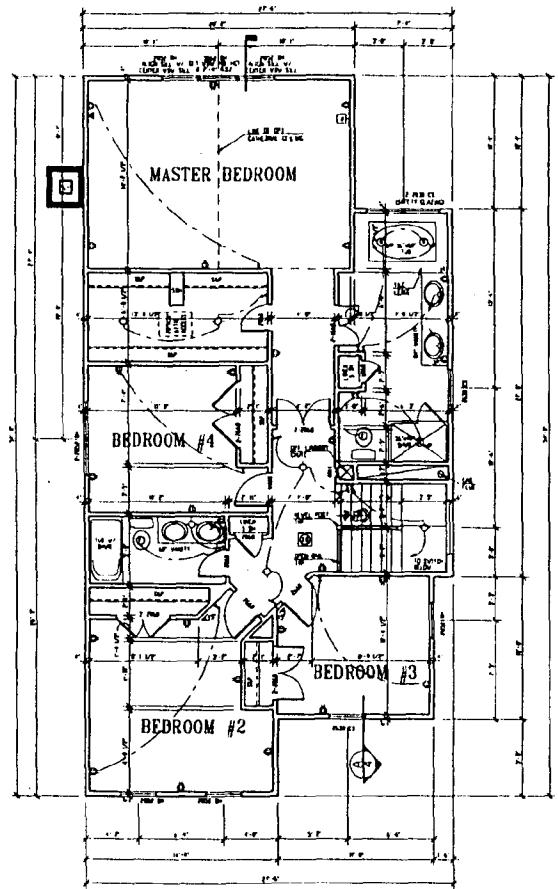


THE KENSINGTON

SUTTON  
SULLENB.  
YANTIS  
ARCHITECTS

2

(19)

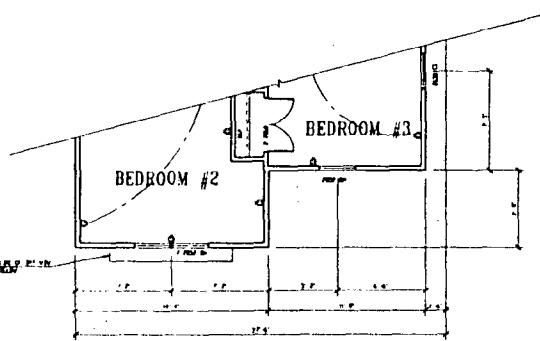


UPPER FLOOR PLAN

W / ELEVATION #1

PRINTED ON ONE SIDE OF THE SHEET FOR ONE-FIVE MILLIMETER CONTRACTOR'S COPY OF THE ORIGINAL SHEET  
PRINTED ON BOTH SIDES OF THE SHEET FOR ONE-FIVE MILLIMETER CONTRACTOR'S COPY OF THE ORIGINAL SHEET

1/4" = 1'-0"

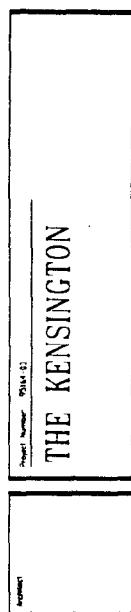
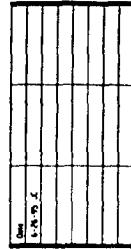


UPPER FLOOR PLAN

W / ELEVATION #2

PRINTED ON ONE SIDE OF THE SHEET FOR ONE-FIVE MILLIMETER CONTRACTOR'S COPY OF THE ORIGINAL SHEET  
PRINTED ON BOTH SIDES OF THE SHEET FOR ONE-FIVE MILLIMETER CONTRACTOR'S COPY OF THE ORIGINAL SHEET

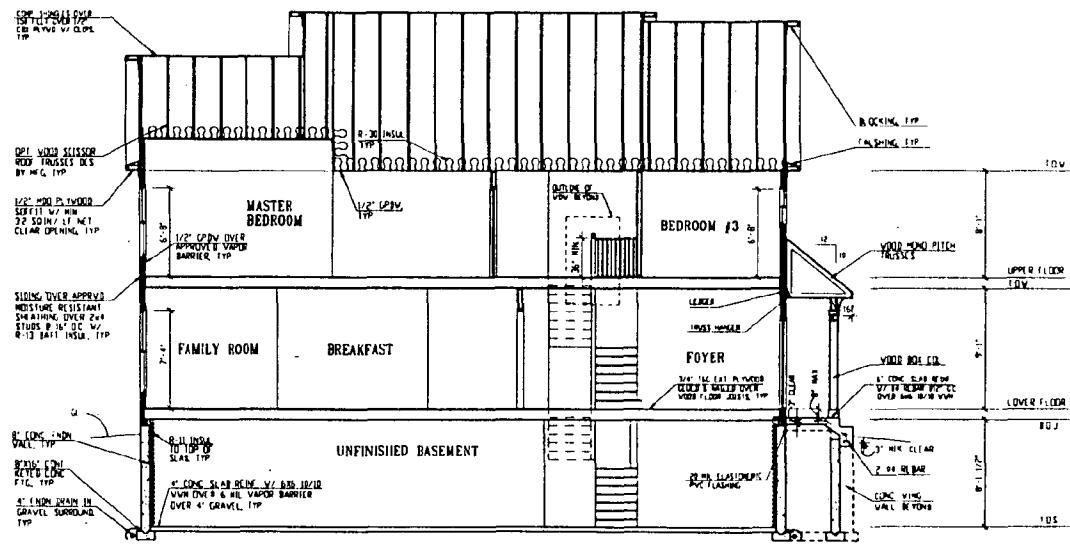
1/4" = 1'-0"



Project Number: 00000001  
THE KENSINGTON  
SUTTON  
SULLENB  
YANTIS  
ARCHITECTS

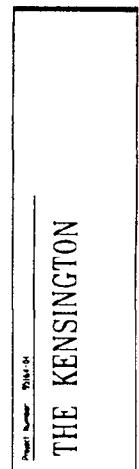
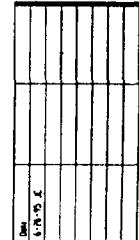
3

29



BUILDING SECTION A  
SHOWN W/ ELEV. #1

$$\frac{1}{4} = 1 - \sigma$$

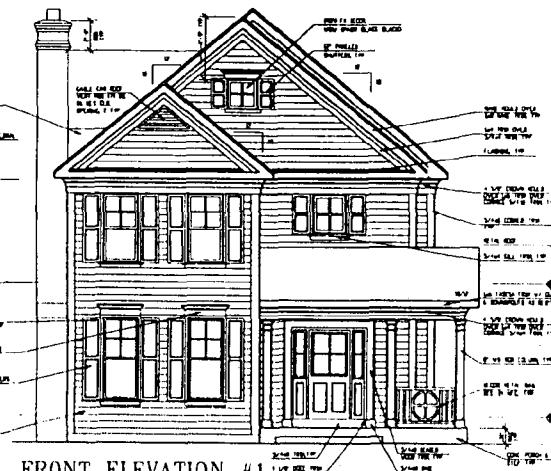


21



REAR ELEVATION

1/4" = 1'-0"



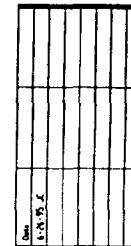
FRONT ELEVATION #1

1/4" = 1'-0"

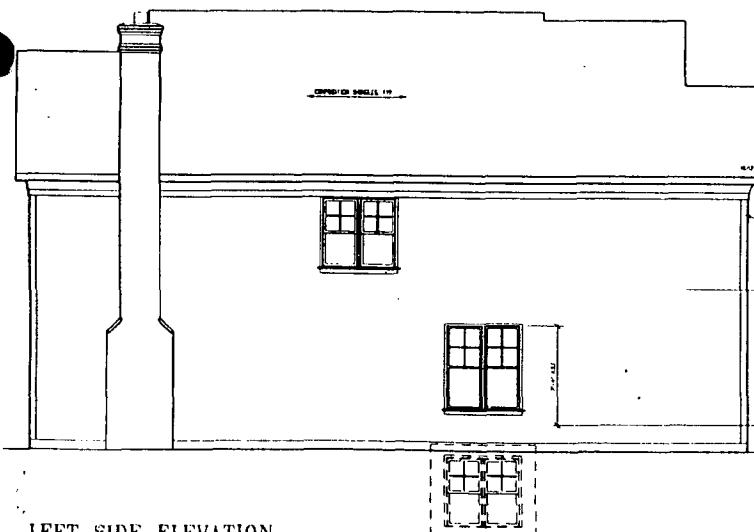
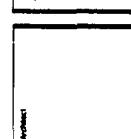
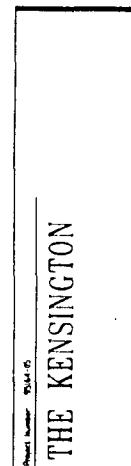


FRONT ELEVATION #2

1/4" = 1'-0"



THE KENSINGTON



LEFT SIDE ELEVATION

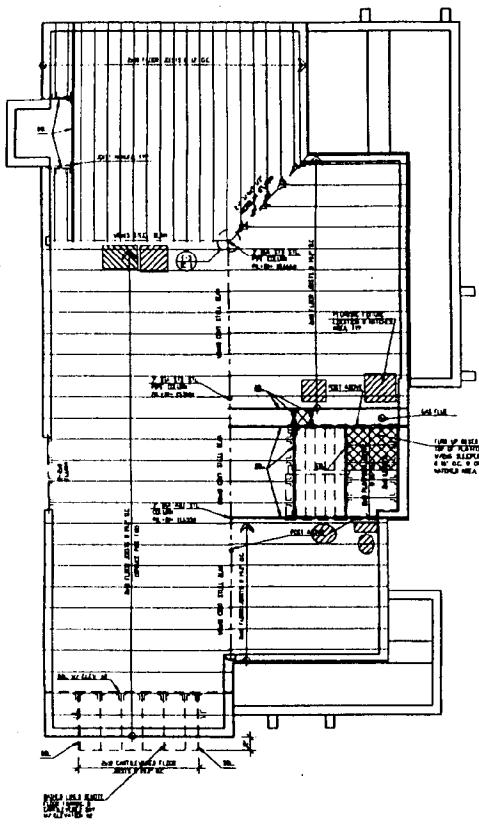
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RIGHT SIDE ELEVATION  
SHOWN W/ ELEVATION #1

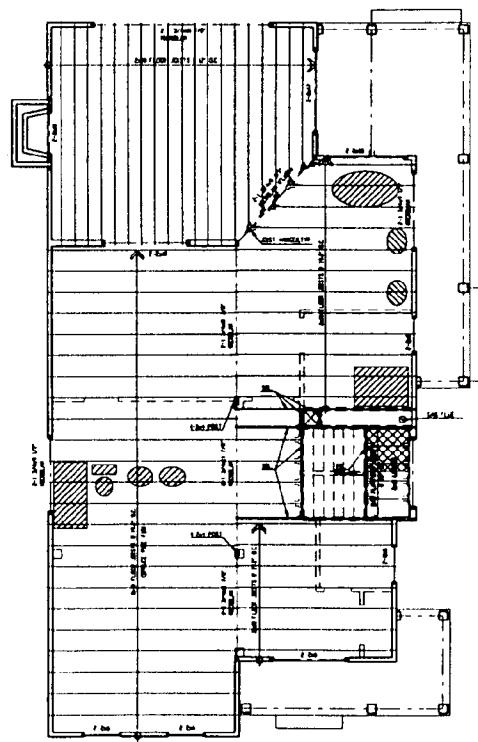
1/4" = 1'-0"

22



LOWER FLOOR FRAMING PLAN

1/4 = 1'-0"

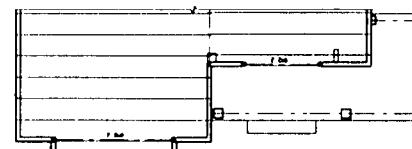


UPPER FLOOR FRAMING PLAN  
W/ ELEVATION #1

1/4 = 1'-0"

BETON DATA  
FLOOR  
LIVE LOAD  
SLEEPING ROOMS  
ALL OTHER AREAS  
BLANK LOAD

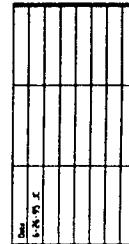
ADJUSTABLE STEEL COLUMNS  
THE FOLLOWING ARE APPROVED BY THE ENGINEER AND  
THE BUILDING INSPECTOR AS SUITABLE FOR USE  
IN THE CONSTRUCTION OF THE PREPARED STRUCTURE  
1. LUMBER SUPPORT  
2. ADJUSTABLE STEEL SUPPORT  
3. ADJUSTABLE CONCRETE SUPPORT  
4. ADJUSTABLE STAINLESS STEEL SUPPORT



PART. UPPER FLOOR FRAMING PLAN  
W/ ELEVATION #2

1/4 = 1'-0"

SUTTON  
SULLENBY  
YANTIS  
ARCHITECTS

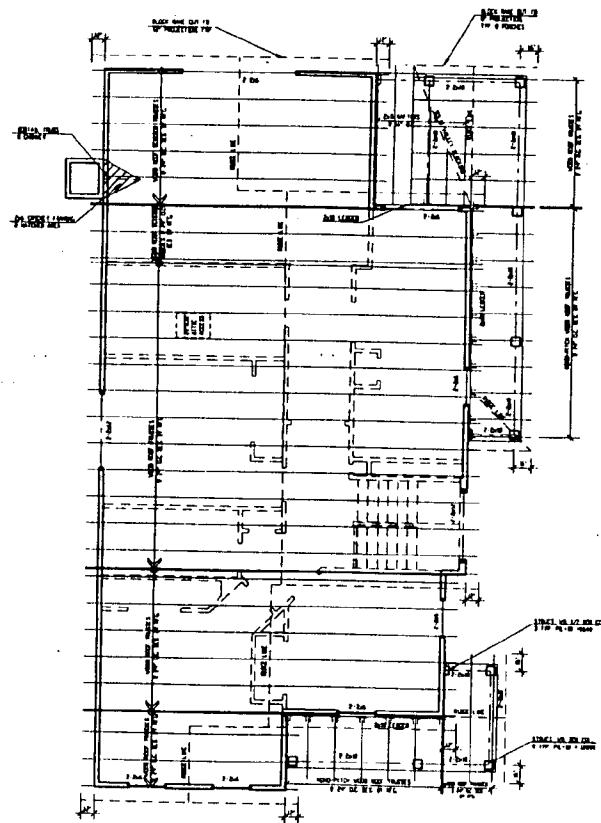


Project Name: Plan No.:  
THE KENSINGTON



6

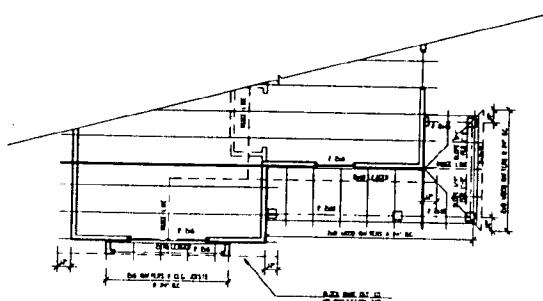
23



ROOF FRAMING PLAN

W / ELEVATION #1

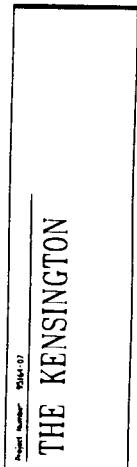
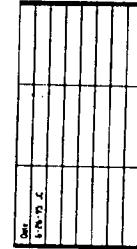
1/4" = 1'-0"



PARTIAL ROOF FRAMING PLAN

W / ELEVATION #2

1/4" = 1'-0"



Project Number: 5144-07  
Architect: THE KENSINGTON

SUTTON  
SULLENB  
YANTIS  
ARCHITECTS

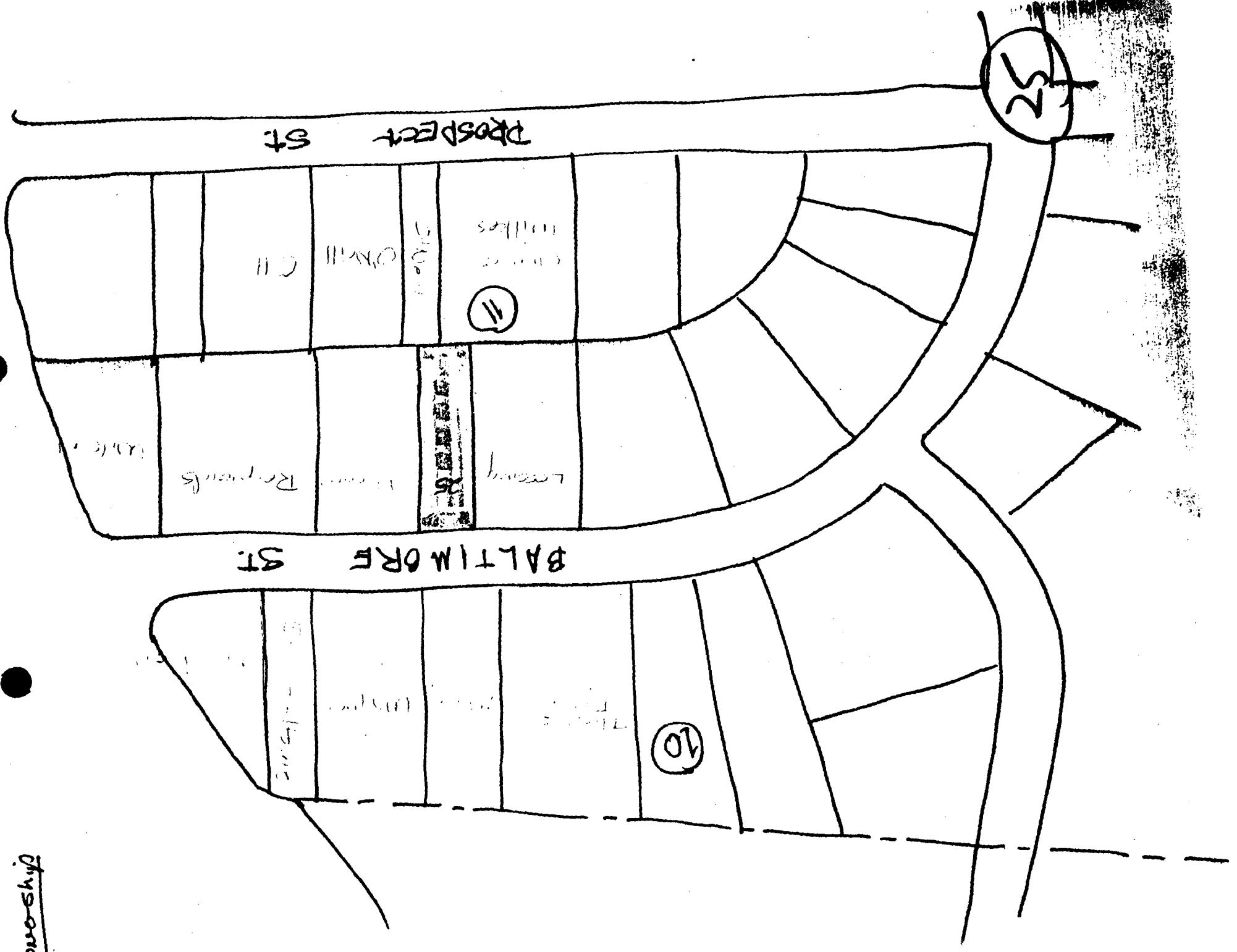
7

## 3922 BALTIMORE ST., KENSINGTON

**ADJOINERS LIST**

<b>Legal Description</b>	<b>Name</b>	<b>Address</b>
Lots 28,29,30 Block 11	Craig and Pat Reynolds	3914 Baltimore St. Kensington, Md. 20895
Lot 6 Block 10	Walter E. Schmitt & Kathryn D. Hoyle	3913 Baltimore St. Kensington, Md. 20895
Lots 7 & 8 Block 10	James and Barbara Wagner	3915 Baltimore St. Kensington, Md. 20895
Lots 9 & P10 Block 10	Seaborn and J. W. McCrory	3919 Baltimore St. Kensington, Md. 20895
Lots 26, 27 Block 11	Jeanie L. Ahearn	3920 Baltimore St. Kensington, Md. 20895
Lots P10, 11, 12 Block 10	Thomas F. and M.J. Fisher	3923 Baltimore St. Kensington, Md. 20895
Lots 23 & 24 Block 11	John H. and J.B. Lossing	3924 Baltimore St. Kensington, Md. 20895
Lots 6 & 7 Block 11	Lawrence I. and M.M. Ott	3911 Prospect St. Kensington, Md. 20895
Lots 8, 9, P10 Block 11	John H. and V.G. O'Neill	3915 Prospect St. Kensington, Md. 20895
Lots P10, 11, 12 Block 11	Charles C. and H.C. Wilkes	3923 Prospect St. Kensington, Md. 20895

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3922 BALTIMORE ST., KENSINGTON

**EXHIBITS**

26

3922 BALTIMORE ST., KENSINGTON

**PHOTOS - Lot 25**

Lot From Street



View from Lot



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - Lot 25**

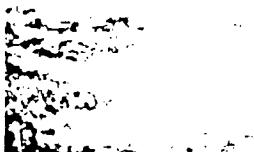
Front of Lot-Looking East



Front of Lot-Looking West



3922 BALTIMORE ST., KENSINGTON  
**PHOTOS - garage**



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage+**

Side

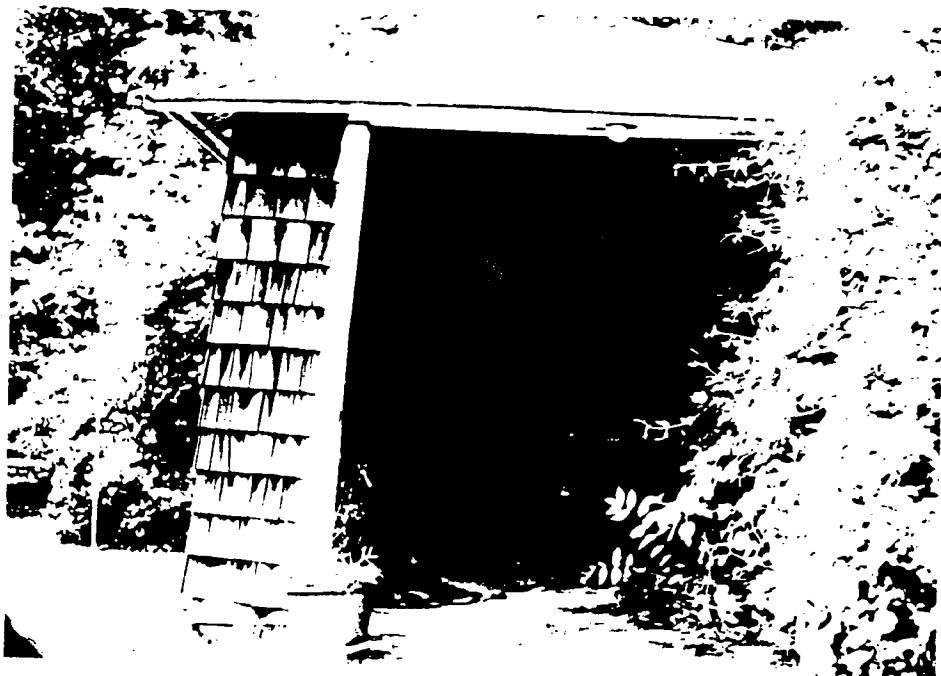


Rear



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage+**



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - 3920 Baltimore St.**

House From  
Front of Lot 25



House From  
Lot 25



(32)

3922 BALTIMORE ST., KENSINGTON  
**PHOTOS - 3920 Baltimore St.**

Front View



House From  
Lot 27



(33)



H 4

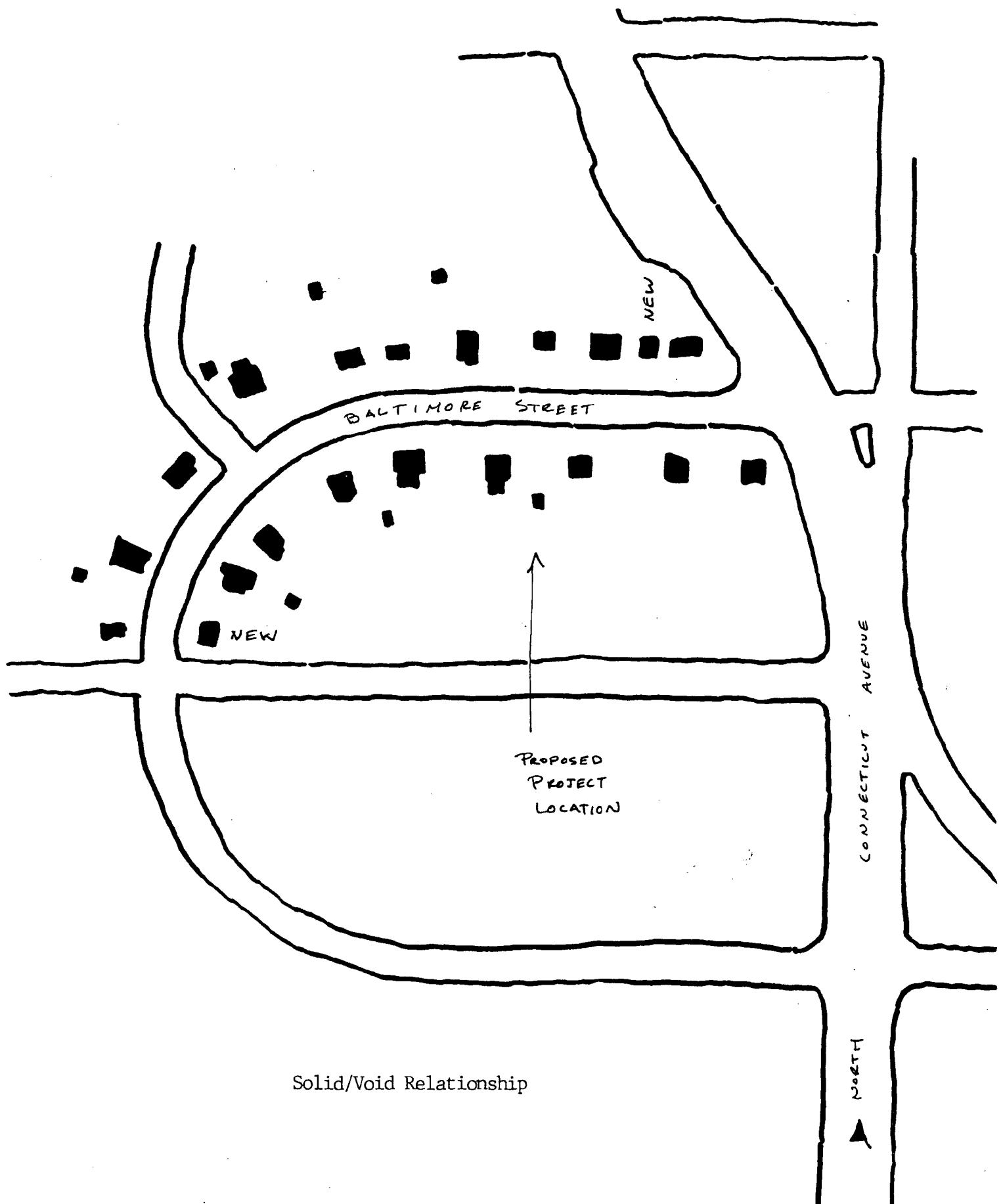
DIST.	CURRENT TO
4	6-1-83
13	6-1-83

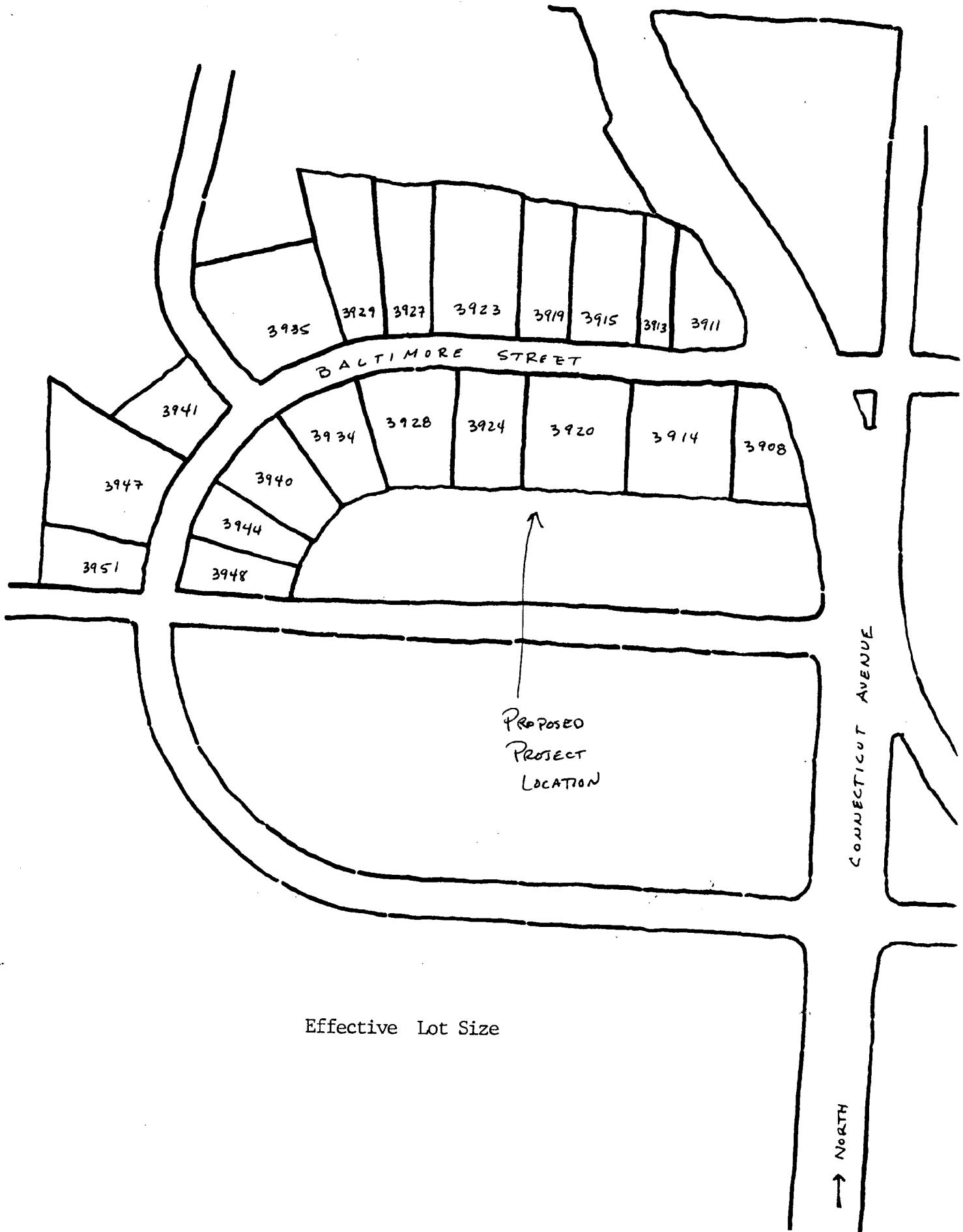
SCALE 1" = 200'

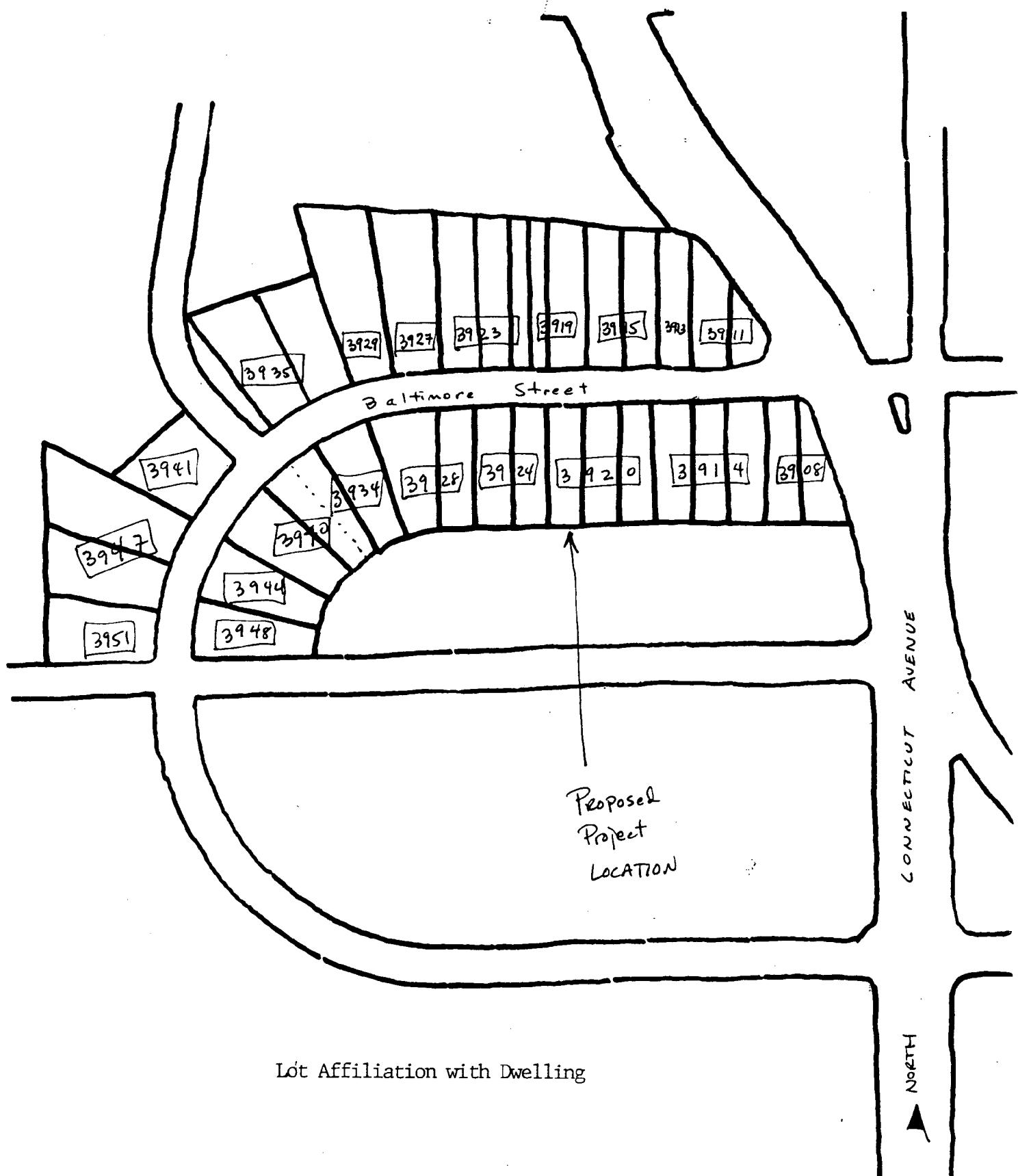


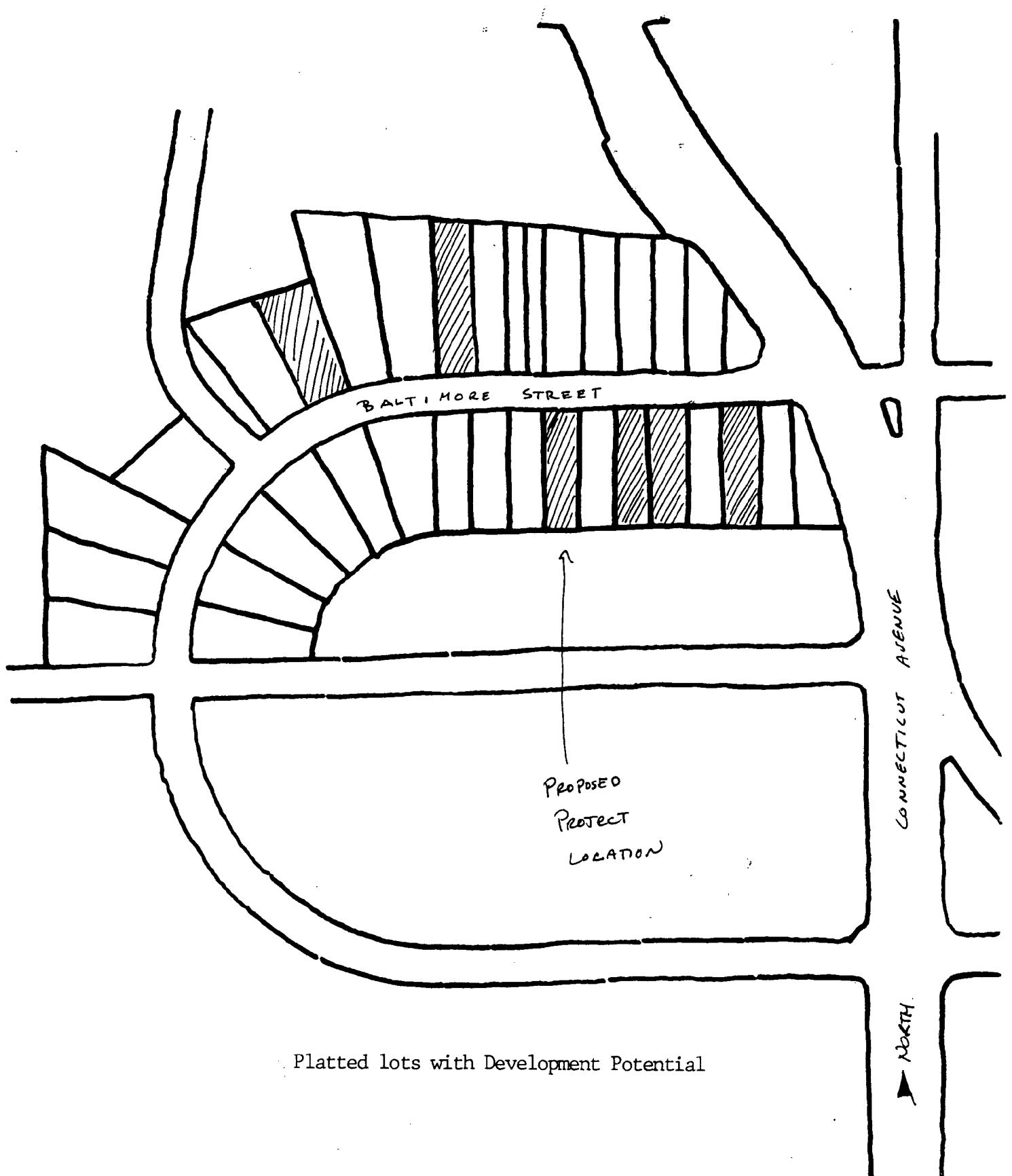
Map HP 34

W.S.S.C. 213 NW 4  
Location: KENSINGTON









## HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: Lot 25, 3920 Baltimore Avenue	Meeting Date: 7/26/95
Resource: Kensington Historic District (31/6)	Review: PRELIMINARY CONSULTATION
Case Number: Not applicable	Tax Credit: No
Public Notice: 7/12/95	Report Date: 7/19/95
Applicant: R. Sterling Mehring	Staff: Robin D. Ziek
<b>PROPOSAL:</b> New single family dwelling	<b>RECOMMEND:</b> Do not proceed to HAWP

---

### BACKGROUND

The Kensington Historic District was established in July, 1986 when the County Council adopted an amendment to the Montgomery County Master Plan for Historic Preservation. As stated in the Amendment (p.2),

"The district is architecturally significant as a collection of late 19th and early 20th century houses exhibiting a variety of architectural styles popular during the Victorian period including Queen Anne, Shingle, Eastlake and Colonial Revival. The houses share a uniformity of scale, set backs and construction materials that contribute to the cohesiveness of the district's streetscapes. This uniformity, coupled with the dominant design inherent in Warner's original plan of subdivision, conveys a strong sense of both time and place, that of a Victorian garden suburb."

The purpose of the designation and the role of the HPC is clearly described in the Introduction to the Amendment (p.1):

"Once designated on the Master Plan for Historic Preservation, any substantial changes to the exterior of a resource or its environmental setting must be reviewed by the Historic Preservation Commission and a historic area work permit issued. The Ordinance also empowers the County's Department of Environmental Protection and the Historic Preservation Commission to prevent the demolition of historic buildings through neglect.

It is the intent of the Master Plan and Ordinance to provide a system for evaluating, protecting and enhancing Montgomery County's heritage for the benefit of present and future residents. The accompanying challenge is to weave protection of this heritage into the County's planning program so as to maximize



community support for preservation and minimize infringement on private property rights."

A brief synopsis of the history of Kensington as presented in the adopted amendment follows:

The town of Kensington began as a small crossroads settlement along the Bladensburg Turnpike, an early market road between the County's major north/south route, Old Georgetown Road, and the port of Bladensburg on the Anacostia River in Prince George's County. When the B&O Railroad was built in 1873, the crossroads settlement became known as Knowles Station, named after the major land holding family in the area.

By 1890 Knowles Station had developed into a village of several hundred people, most of whom were living north of the railroad. In that year, Washington financier, Brainard H. Warner, purchased and subdivided property to the south and southwest of the railroad, naming the area Kensington Park after the famous London suburb. The subdivision was designed in the Victorian manner with ample sized lots and a curvilinear street pattern.

Warner established his own summer residence and invited his friends to join him in this park-like setting away from the heat and congestion of Washington. It is this concentration of Victorian period, residential structures located in the center of the town which constitutes the core of the historic district.

#### PROJECT PROPOSAL

The proposal before you is to build a single-family dwelling of 2970 s.f. (footprint @ 1485 s.f.) on a single lot measuring 50' x 172.5'. This is considered "in-fill" housing and staff will discuss below the implications of such construction at this site.

#### Site Description

Lot 25, Block 11 is currently part of a grouping of three lots (25, 26, 27) which provide the environmental setting for the House at 3920 Baltimore Street, and constitutes the west side yard for this house; Lot 27 provides the east side yard. Each of the three lots measures 50' x 172.5' (8,625 s.f.). The driveway is located on Lot 25, and leads to an original "auto house" which is clad in wood shingles similar to those on the house. The original doors are stored inside the garage, and the building has shifted off of its foundations and is need of maintenance work. The lot is relatively flat, and gently rises from the street to the rear yard area. There are some shrubs on this property, and trees to the rear.

The house at 3920 Baltimore Street has been identified as a Primary Resource (1910-1930) in the Master Plan. It is a centered gable I-House with a rear ell, and several additions to the rear and east side. There is some evidence that the house may actually be of an earlier

date than 1910, such as the use of fishscale shingles in the side gables as original cladding (evident on the west gable end where the wood shingles are failing). Staff will look into the construction date further, but clearly there is no question that this resource is a Primary Resource within the Kensington Historic District.

#### Site Location with the Historic District

The dwelling at 3920 Baltimore Street sits on Lot 26 between its flanking side lots which provide a garden setting for the house. With three exceptions (3913, 3941 and 3948 Baltimore Street), all of the other houses on Baltimore Street in this portion between Connecticut and Prospect are Primary Resources dating to 1880-1930.

3920 Baltimore Street is flanked by two large homes sitting on multiple lots. The home to the east, 3914 Baltimore Street, is a Queen Anne Cottage (Primary Resource 1880-1910) sitting on three lots. The house to the west at 3924 Baltimore Street is a large Georgian Revival Cottage (1880-1910) with a hipped roof, sitting on two lots.

The streetscape on Baltimore Street was established with a building pattern where the earliest purchasers typically bought 2 or more platted lots and built only one dwelling on the property (1880-1910). The earliest homes are typically either the Queen Anne style - large homes of irregular shape - or the Georgian Revival Cottage style - large symmetrical homes with hipped roofs. These individual homes sit within a generous landscape where neighbors are close by, but are not typically on adjacent lots. The suburban setting was landscaped, treed, and spacious in contrast to the urban development of Washington, D.C.

The next period of development on this street (1910-1930) included the development of three Colonial Revival style homes on lots purchased from existing homeowners. These dwellings are characterized by their modest scale, massing, and size in contrast with the earlier constructed dwellings.

Finally, there are two recently constructed buildings in this block - 3913 and 3948 Baltimore Street. The proposal for 3948 Baltimore Street came before the HPC prior to the actual date that the designation of the Historic District took effect, and was considered solely from the perspective of "substantial alteration." This level of review is not comparable to the review which is given to any proposals within an established historic district, and does not provide guidance in terms of precedence.

The project at 3913 was approved by the HPC in August 1987, and is of concern to staff as a possible precedence for in-fill construction in the Historic District. However, staff feels that this new construction illustrates the potential concerns with in-fill construction, and illustrates the potential for the loss of the environmental setting for the historic district as a whole, and for individual resources within the district on their own.

The map on Circle 7 provides a quick reference to the pattern of development which led to the existing conditions on Baltimore Street today. There are twenty buildings on Baltimore Street between Connecticut Avenue and Prospect Street, and thirty-four platted lots. The lots are of varying sizes because of the curving street plan. Therefore, the 20 lots which are located in the straight section of Baltimore Street were platted at 50' x 172.5. The individual lots in the curving section of Baltimore are trapizoidal in shape measuring approximately 70' at the street and ca. 50' at the street edge. Therefore, the lots have differing square footage.

The development pattern generally shows that houses in the straight portion of Baltimore Street occurred on multiple lots, while houses within the curving portion of the street, where the individual lots have more square footage, appear sometimes on single lots and sometimes on multiple lots.

The pattern of openness in this community has also been expressed by an evaluation of the distances between houses, which is presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, figure 34 (See Circle 8). The pattern for the entire historic district is illustrated by the evaluation of front yard setback and building separation for Block #11 which includes the south side of Baltimore Street (where 3920 Baltimore is located) and the north side of Prospect Street. In this particular evaluation, the average distance between buildings is 87.3', ranging from 40' to 170'. This block illustrates the point that the overall character of the streetscape is established through a building pattern in the Kensington Historic District which is achieved through a combination of large setback (typically 40') and open space created by the distance between buildings. The intervening open space provides the garden setting for the entire district, as well as views across yards which provides the opportunity for long views through the community; this helps to tie the different blocks together.

The existing development of the Kensington Historic District can also be characterized by the percentage of lot coverage. As presented in the 1992 study Vision of Kensington: A Long-Range Preservation Plan prepared by Traceries and PMA Associates, table on page 47 (Circle 9), the average lot is .42 acres (18,295 s.f.) and the average lot coverage is 9%. The proposed development is on a lot size of only 8,625 s.f. or 47% of the average lot size. The new construction would have a lot coverage of 20.3%, or 2.25 times the average lot coverage.

#### PROJECT DESCRIPTION

The applicant proposes to build a two-story single-family dwelling on Lot 25. The applicant proposes the removal of the existing driveway and garage, and the construction of a new driveway to be shared by the new house on Lot 25 and the existing house on Lot 26. The house which is being proposed has a footprint of approximately 1485 s.f. and would be a total of 2970 s.f. A single-car garage is also proposed for the rear with a footprint of 264 s.f. The total lot coverage would be 20.3%.

The new house would be set 48' back from the street, with a side setback of 10' on the west side, and 12.4' from the east boundary. The proposed house would be approximately 22.4' from the house on Lot 26, and approximately 15'-20' from the house at 3924 Baltimore Street.

The proposed new house is in a "neo-style", which includes an irregular massing which is reminiscent of the Victorian Queen Anne houses, but has gable detailing and trim which is more reminiscent of the Colonial Revival style. The proposed structure would utilize a steep roof pitch and windows with 4/1 light. The garage is proposed in the same neo-styling. The applicant has indicated that this particular house design was drawn up for another location and is proposed for this site as well.

#### STAFF DISCUSSION

Staff has some concerns with various aspects of this proposal, which include: encroachment on environmental setting of the Historic District and the individual resources within the district, the proposed demolition of a historic outbuilding, and the incompatibility of

the proposed development with existing patterns of development. This includes the loss of open space, the proposed percentage of lot coverage, and the proposed use of a 19th century style of architecture in the 20th century when there is a pattern of development in the 20th century which is part of the historic district development.

In the determination of environmental setting for an individual site, the HPC considers boundaries of a sufficient size which will provide the maintenance of the historic setting. In a rural site, such as a farm complex, for example, the environmental setting may be set at several acres to achieve the historic feeling. The determination of the boundaries of a suburban historic district is the equivalent of the environmental setting for an individual site. The boundaries are chosen to encompass the historic resources in their individual environmental settings which provide the sense and feel of a "district". In other words, the district is an accumulation of individual sites, none of which need to have "individual distinction, provided that the grouping achieves significance as a whole within its historic context." (page 5 of Bulletin #15.) The basic importance of a district is the fact that it is a "unified entity, even if it is often composed of a wide variety of resources." (page 5 of Bulletin #15.)

The studies on Kensington which quantified open space, lot coverage, existing rhythm of development all provide measurable ways to evaluate the effect of proposed changes and alterations to the historic district.

The issue of environmental setting is central to the designation of any historic site or district because it is key in the retention of integrity of the district. It may be helpful to quote from the National Register Bulletin #15, page 46 which discusses the evaluation of integrity of historic districts:

"For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into considerations the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- o if has been substantially altered since the period of the district's significance or
- o it does not share the historic associations of the district."

Further assistance in staff's evaluation of this proposal is provided by the National Register Bulletin #30 which provides guidelines for the evaluation of rural historic landscapes.

While Kensington is clearly a suburban rather than rural historic district, the description on page 23 of Bulletin #30 concerning threats to integrity is helpful:

"Integrity may also be lost due to the cumulative effect of relocated and lost historic buildings and structures, interruptions in the natural succession of vegetation, and the disappearance of small-scale features that defined historic land uses."

In the case of this particular proposal, several elements within the historic district of Kensington are proposed for demolition: the open space, the relationship of adjacent homes to each other and to the landscape, and the historic outbuilding or "auto house".

The small garage was an important element in all of the suburbs around Washington. While Kensington first developed around the railroad mode of transportation, the suburban development around Washington really expanded dramatically with the introduction of the low-cost automobile. At that point, every house added an "auto house", which is best illustrated in the Sanborne insurance maps. This particular garage may have been added after the construction of the original house at 3920 Baltimore Street, but is clearly a historic outbuilding which provides physical evidence of the historic development of Kensington. There are several small garages of this scale still in Kensington, but a brief survey of Baltimore Street illustrates that many of these key outbuildings have already been lost.

#### STAFF RECOMMENDATION

Staff recommends that the HPC find that the proposed new construction within the Kensington Historic District would be detrimental to the integrity of the Historic District. The proposal would not be compatible with the existing patterns of development including rhythm of building to open space, or the environmental setting of the District. This is based on the fact that the proposed new construction would substantially exceed existing average lot coverage, would be substantially below existing average distances between dwellings, that this represents a cumulative loss of integrity for the Historic District as a whole through the above non-conformance with existing development patterns and with the demolition of an existing historic outbuilding.

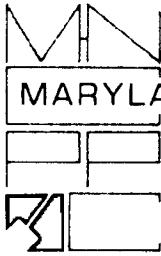
Staff acknowledges that the seller is willing to forego development on Lot 27 if the construction on Lot 25 is permitted. However, staff recommends that diminution to the Historic District as a whole would be threatened by the incompatible development on Lot 25 which is not addressed by the easement proposal for Lot 27.

(ms. Ahearn)

Owner will  
provide information  
to correct this  
and show release  
of enclosed Deed -

Pending

RDZ 7/28/85



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

**MEMORANDUM**

TO: Historic Preservation Commission  
*RDZ*

FROM: Robin D. Ziek, Historic Preservation Planner

SUBJECT: Preliminary Consultation at 3920 Baltimore Street  
Kensington Historic District

DATE: July 21, 1995

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Enclosed please find additional information which is relevant to Packet Item III-A for the July 26, 1995 HPC hearing.

One of the Town Commissioners provided us with a copy of the enclosed Deed which provides additional information about the conditions of possible sale for Lots 25, 26, and 27 at 3920 Baltimore.

The enclosed Deed stipulates in effect that, prior to July 12, 1996, the individual lots may not be individually sold, or a new dwelling built upon either lot 25 or lot 27.

## THIS DEED

ss 1628.00  
tt 1700.00  
tt 3700.00

Made this 12th day of July, 1989, by and between Virginia H. Brown, unmarried, party of the first part; and Jeanie L. Ahearn, as to an undivided one-half interest and Vincent P. Ahearn, III and Rebecca B. Ahearn, his wife, As Tenants by the Entirety as to an undivided one-half interest, parties of the second part.

WITNESSETH that in consideration of the sum of \$345,000.00, receipt of which is hereby acknowledged, and which the party of the first party certifies under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party of the first part does grant and convey unto the parties of the second part in fee simple, as Tenants in Common, all that property situate in Montgomery County, State of Maryland, described as:

Lots Twenty-five (25), Twenty-six (26) and Twenty-seven (27) in Block numbered Eleven (11) in the subdivision known as "KENSINGTON PARK" as per plat thereof recorded in Plat Book B at Plat 4 among the Land Records of Montgomery County, Maryland.

with the address of: 3920 Baltimore Street, Kensington, Maryland, 20895.

We hereby swear or affirm that the actual consideration for this transaction is \$370,000.00.

I hereby certify that this instrument was prepared under my direction and I am an attorney admitted to practice before the Court of Appeals for the State of Maryland.

89 JUL 19 PM 3:05

WILLIAM N. MAC HALE  
LAW FIRM  
11301 GEORGIA AVENUE  
WHEATON, MARYLAND  
20902

This property is subject to the following covenants and restrictions: Neither Purchaser nor their assigns, successors-in-interest or subsequent owners shall within seven (7) years of the date of conveyance herein (1) sell any of the lots separately but only as an entire property; (2) subdivide any of the existing lots which constitute the entire property under this contract; or (3) construct a dwelling on any of the lots constituting the property described herein. These provisions shall not preclude Purchaser or any assignee or owner within said time period from reconstructing any part of the existing dwelling, constructing an addition to the existing dwelling, erecting a garage or other structure not intended for use as a dwelling. These covenants shall run with the land until the above seven (7) year period expires.

Purchasers hereby accept said Covenants and Restrictions.

*Jeanie L. Ahearn* (SEAL)  
Jeanie L. Ahearn  
*Vincent J. Ahearn, III* (SEAL)  
Vincent J. Ahearn, III  
*Rebecca B. Ahearn* (SEAL)  
Rebecca B. Ahearn

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging or in anywise appertaining, unto and for the proper use only, benefit and behoof forever of said parties of the second part in fee simple.  
Being the same property described in Liber 3845, folio 521.

AND the said party of the first party does hereby covenant to warrant specially the property hereby conveyed; and to execute such further assurances of said land as may be requisite.

WITNESS my hand and seal.

WITNESS:

*Virginia H. Brown*

(SEAL)

Virginia H. Brown

*Ruth Hale*

STATE OF MARYLAND  
COUNTY OF MONTGOMERY

\*to wit:

I HEREBY CERTIFY that on this 12th day of July, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Jeanie L. Ahearn, Vincent P. Ahearn, III and Rebecca B. Ahearn, known to me (or satisfactorily proven to be) the persons whose names are subscribed to the within instrument and did acknowledge that they executed the same for the purposes therein contained.

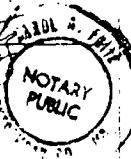
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

My Commission expires: 7/1/90

*Carol R. Fritz*

CAROL R. FRITZ

Notary Public



STATE OF MARYLAND  
COUNTY OF MONTGOMERY

\*to wit:

I HEREBY CERTIFY that on this 12th day of July, 1989, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Virginia H. Brown, known to me (or satisfactorily proven to be) the person whose name is subscribed to the within instrument and did acknowledge that she executed the same for the purposes therein contained.

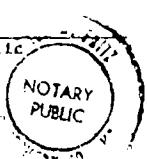
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

My Commission expires: 7/1/90

*Carol R. Fritz*

CAROL R. FRITZ

Notary Public



JUL 18 1989

13-15-1118987

All Taxes on assessments certified to the  
Collector of Taxes for Montgomery County  
Md by ~~1988~~ been paid Dept. of  
Finance Montgomery County Md. This  
statement is for the purpose of certifying  
that no taxes are due or owing.  
For the period from ~~1988~~ to the date of this statement,  
there has been no tax due or owing.  
SOS: T. has been subject to no taxes  
on real property.

*S. C. T.* TRANSFER TAX PAID  
MONTGOMERY COUNTY, MARYLAND

BY *S. C. T.*

*Douglas D. Brumley*

- 2 -

LIBER 9 | 4 FOLIO 67

AFFIDAVIT OF PURCHASER REGARDING  
EXEMPTION FROM STATE TRANSFER TAX

After being duly sworn, the undersigned Purchaser(s) depose and say the following under oath pursuant to MD. TAX PROP. CODE ANN. SSI3-203 (1987 Sup.), as amended by 1988 MD. Laws 197:

1. The undersigned is/are the Grantee(s) of real property located at:

Address: 3920 Baltimore Street  
Kensington, Maryland 20895

being more particularly described as Lot/Unit 25.26.27, Block 11.

Subdivision/Condominium KENSINGTON PARK, Montgomery County, Maryland.

2. Said real property is improved by a residence which the undersigned Grantee(s) will occupy.

3. This affidavit is being executed in order to obtain an exemption from the Maryland State Transfer Tax on the first \$30,000 of consideration payable for an <sup>old</sup> ~~new~~ instrument of writing for residentially improved owner-occupied real property pursuant to the aforesaid statute.

Jeanie L. Ahearn  
Jeanie L. Ahearn - GRANTEE Purchaser

Vincent P. Ahearn  
Grantee Purchaser  
Vincent P. Ahearn, III

Rebecca B. Ahearn  
Grantee Purchaser  
Rebecca B. Ahearn

Subscribed and sworn to before me this 12th day of July, 1990.

Jennifer Marshall  
Notary Public  
JENNIFER MARSHALL

My Commission Expires: July 1, 1990

L18638 914 FOL196 68

ATTACHED TO AND MADE A PART OF THAT CERTAIN INSTRUMENT DATED THE  
12th DAY OF July, 1969

C'ERK'S INDEX SHEET  
(for the purpose of proper indexing only)

Pursuant to the provisions and requirements of Section 3-501 of the Real Property Code of Maryland (1981 Repl. Vol.), the following additional information is declared by the parties hereto to be contained within this instrument:



DO NOT WRITE BELOW THIS LINE  
TO BE COMPLETED BY CLERK OF THE COURT

VERIFIED BY \_\_\_\_\_  
(Clerk's Office)

ALAN R. SWENDIMAN  
ATTORNEY AT LAW  
JACKSON & CAMPBELL, P.C.

SUITE 300 SOUTH  
1120 20TH STREET, N.W.  
WASHINGTON, D.C. 20036  
(202) 457-1600

200 A MONROE STREET  
ROCKVILLE, MARYLAND 20850  
(301) 340-0450

Home, (301) 946-2969

Attorney for Virginia Brown

THE KENSINGTON HISTORICAL SOCIETY  
P.O. BOX 453  
KENSINGTON, MARYLAND 20895

21 July 1995

Historic Preservation Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Dear Commissioners:

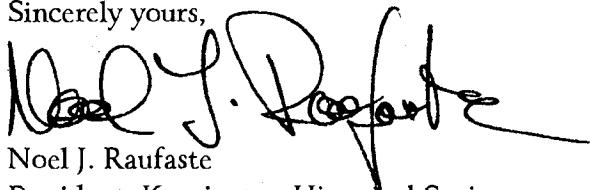
At the 17 July 1995 meeting of the Kensington Historical Society's (KHS) Board of Directors, it was unanimously recommended that a letter be transmitted to the Historic Preservation Commission (HPC) explaining the KHS' concern about the proposed construction of a single family house on Lot 25 of Block 26, 3920 Baltimore Street, Kensington, Maryland. The Parcel's 50 foot width will result in a house of much smaller footprint; thus it will be out of place within the surrounding homes. Consequently it would substantially change the entire street-scape which is totally turn-of-the century homes constructed in Queen Ann, Shingle, Eastlake, and Colonial Revival styles. These houses share a uniformity of style, scale, setbacks, and construction materials that make up this Victorian suburb that was recognized when the *Kensington Historic District* was created in July 1986 when the County Council adopted it in an amendment to the Montgomery County Master Plan for Historic Preservation.

It is our understanding that the subject property is controlled by a seven year covenant which prohibits: the sale of any of the lots separately; subdividing any of the lots; or constructing a building on any of the lots. The subject covenant will expire on 12 July 1996 not in 1995 as implied in the R. Sterling Mehring request of 5 July 1995 to construct a house on Lot 25.

The KHS Board of Directors understands that the adjacent neighbor, Dr. Lossing (3924 Baltimore Street) had recently offered the owner of Block 26, \$80,000 for purchase subject Lot 25 in order to keep the land in its original condition. Dr. Lossing's offer was refused.

The KHS supports keeping this Lot in its present state for the preservation of open space. Accordingly, it is the KHS' recommendation that Lot 25 of Block 26 be preserved as open space as was the intent of the original builder of the house.

Sincerely yours,

  
Noel J. Raufaste  
President, Kensington Historical Society

July 24, 1995

Kensington LAP Meeting

Members: Shulman, Stuart, Dedes, Ritzman, Wagner, Gurvey,  
O'Donnell (nominees Basil, van Emmerik)

Visitors: Lossing, Wilkes J.O'Malley

Tree removal at 3806 Washington Street Case 31/6-93Q

There have been a number of silver maples in Kensington of the same vintage and condition, as the one at 3806 Wash. St. that responded for many years to judicious pruning and care. Since healthy main trunks and large branches accounting for over 2/3 of the tree have already been removed, the tree has been destroyed without permit. The magnolia for which permission to trim has been requested has already been hacked back. Mr. Fleming is fully aware of historic preservation requirements and even prides himself on this knowledge. He has flaunted the rules as he has repeatedly done in the course of this application. A letter from Mr. Ritzman to Ms. Marcus concerning this matter contains other pertinent comments.

All members of the LAP agreed that the following conditions should accompany retrospective approval:

1. An occupancy permit on any proposed structure should be withheld until planting of new trees stipulated to be planted has taken place and is approved by a professional arborist at Mr. Fleming's expense.
2. The course of the new driveway should be stipulated by the arborist to assure protection of as many trees as possible. Special protection measures to be used on the magnolia should be inspected by the arborist for approval before building proceeds.
3. Mr. Fleming should be cited by the EPA and receive a fine for his callous disregard of regulations.

Preliminary Consultation for construction at 3922 Baltimore Street.

All LAP members and visitors at the meeting agreed that the HPC Staff Report was outstanding. HPC staff conclusions and recommendations were unanimously and enthusiastically endorsed by the LAP.

Discussion brought out that :

1. A large holly and large red-bud tree that would be removed are not documented in the proposal.
2. The garage appears to be made of cypress and is saveable. It should not be allowed to undergo demolition by neglect.
3. An offer has been made by a neighbor to purchase the parcel for preservation.

*N. R. Shulman*  
N. R. Shulman, Chairman

Testimony Before the Historic Preservation Commission  
Regarding the Preliminary Consultation  
for new construction at  
Lot 25 Block 11 Kensington Park Subdivision

Good Evening

My name is Barbara Wagner. I live at 3915 Baltimore Street in the Kensington Historic District. I come before you tonight as a neighbor of the proposed development, a resident of the Kensington Historic District, a founding member of the Kensington Historical Society, and a former Commissioner.

First, the staff report developed for this case is one of the finest I have read. As one of the Commissioners who identified the need for a study quantifying the characteristics of the Kensington Historic District, I am pleased to see quotations from the 1992 study, Vision of Kensington: A Long-Range Preservation Plan, and look forward to receiving a copy. I believe that its regular use in Histroric Area Work Permit application reviews will help the HPC develop consistent decisions and strengthen public trust.

To return to tonight's agenda, I wish to speak to staff's concern that the project at 3913 Baltimore Street sets a possible precedent for in-fill construction in the Historic District. When 3913 Baltimore Street was approved in August 1987, the Kensington Historic District had been a Montgomery County Historic District since July 1986. The District's understanding of the Montgomery County Historic Preservation Ordinance was both incomplete and evolving. The Neo-Victorian constructed at 3913 Baltimore Street provided the community with a concrete example of in-fill construction's intrusive nature. The house interrupted both the rhythm of the streetscape and the historical pattern of development on Baltimore Street. It permanently altered the environmental setting of the Historic District. The impact was most deleterious to the primary resources located at 3911 and 3915 Baltimore Street. To illustrate the damage to the environmental setting of those two resources, I've attached photographs of 3911 and 3915 before and after the construction. Please note that the after photograph is taken from the identical location, however 3911 Baltimore Street is no longer visible.

3913 Baltimore Street helped awaken the Kensington community. It provided an incentive to the community in its successful challenge to Historic Area Work Permit applications at Carroll Place and Prospect Street. Through the Carroll Place challenge, the HPC now has a legal opinion that through the Ordinance, the HPC may protect the Kensington Historic District's environmental setting along with its architectural elements.

I urge the HPC to acknowledge 3913 Baltimore Street's deleterious impact upon the Historic District and pledge to protect its integrity.



July 26, 1995

45 days to evaluate

Clarksburg - call DEP?

III-A.

1. Sterling Mehring

1. modification of staff report - correction 2900 ft  
to 2642 ft

2. Auto House - notes poor construction of outbuilding.

3. Proposes to relocate auto house to Lot 27 (?) or elsewhere. + refurbish it.

4. ~~Proposes~~ Proposes easement on Lot 27 - no building ever.

5. Low building heights

2. Ray Shulman - LAR. - concurs w/ staff report - not much to add

3. Barry Peoples - Kensington Historical Society

July 17<sup>th</sup> - concerned w/ development

1. too big
2. Controlled by 7-year covenant
3. Substantial effort already made to preserve it
4. Original intent of owner -

4. <sup>Dear</sup> John Loessing - 3924 Baet St. adjacent, tree committee

1. proposed ~~#~~ tree removal: in shared driveway  
removal of 2 mature hollies, +  
removal of universe-class redbud (7-trunks),  
+ removal of 4 black walnut trees (6" + 6")

They've lost some large trees already. They don't  
want to lose any more.

Don't let this  
stuff go to my head.

5. Barbara Wagner - 3915 Baltimore St.  
No more in-fill devel

6. - Lives at 3919 E Park.

She works for National Assoc. for thumb buildings.  
~~she~~

Please don't dismiss Nos, but talk about it -

She wants amounts equal for open space offer vs.  
development rights.

7. Walter Schmidt & Katherine Higley - 3913 Balt. St.  
in favor of new home -

- (1) Design complements neighborhood & adds to property values.
- (2) Lot size is legal
- (3) Common drive preserves open space concept
- (4) Sale of lot creates capital to rehabilitate 3920

Supports new construction rather than rehab!

(~~¶~~ N.B.: Barbara Wagner is still working on her home since 1885)

1. HCC approved commercial day care center!
2. Notes lack of maintenance on houses
3. Day care centre brought down their prop. values.

8. Helen Wilkes - 3923 Prospect St. - Adjacent to  
back yards of 3920 Balt!

1. Pattern - severe aberration
2. Hill / topography - site specific w/ flanking yards.
3. ~~Severe~~ Kensington Land Trust - Value of Easement -

9. John O'Neill - 3915 Prospect St.  
Adjacent to 3920 Bent. Rear yards.  
(1) Precedents - prop protested dispute on Wilkes +  
Sherman Owners -  
Ad proposals were denied!  
(2) why is this being revisited? They've already gone over  
this issue!  
(3) Present property knew about this. + Covenant  
ran with the land for 7 years!  
Notes part of bldg on lot 27 + that can't be built upon!

midnight

10. Shirley Mehring - The Covenant -  
May 8, 1995 - Mrs. Brown signed release of covenant.

11. Mr. Ritzmann - 3504 Kent St.  
1. member of Warner Memorial Presbyterian Ch.  
2. friends of old owner - Virginia Brown -  
She's extremely hard-of-hearing  
3. He contacted V.B.'s attorney -  
4. She understood that she was signing permission to sell  
lot to neighbor!

Walter - Agree w/ Bert - maybe something but accessory structure only.

"This is a bad idea."

Martha - Agree w/ staff

Paula - " "

Susan - " " 3913 a mistake. Also build as carriage house only  
Albert - " " Susan - <sup>maybe</sup> <sub>1</sub> possible w/ carriage house / accessory structure possibility.





- Hand out  
door

Contact for  
Dr. On fire  
draining  
Jobs

( write down  
names  
addresses )

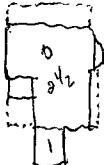
- call contacts
- story telling
- writing course
- write card file

### OPTIONAL METHOD

- Trade amenities for densities

1904 Sanbourne

3920



3908                    3935  
3914                    3929  
3920                    3915  
3924  
3928  
3934

(1911)      No changes      odd 3923

1924

3907 (Moved)

3911, 3923

Auto house  
shows up 1<sup>st</sup> time

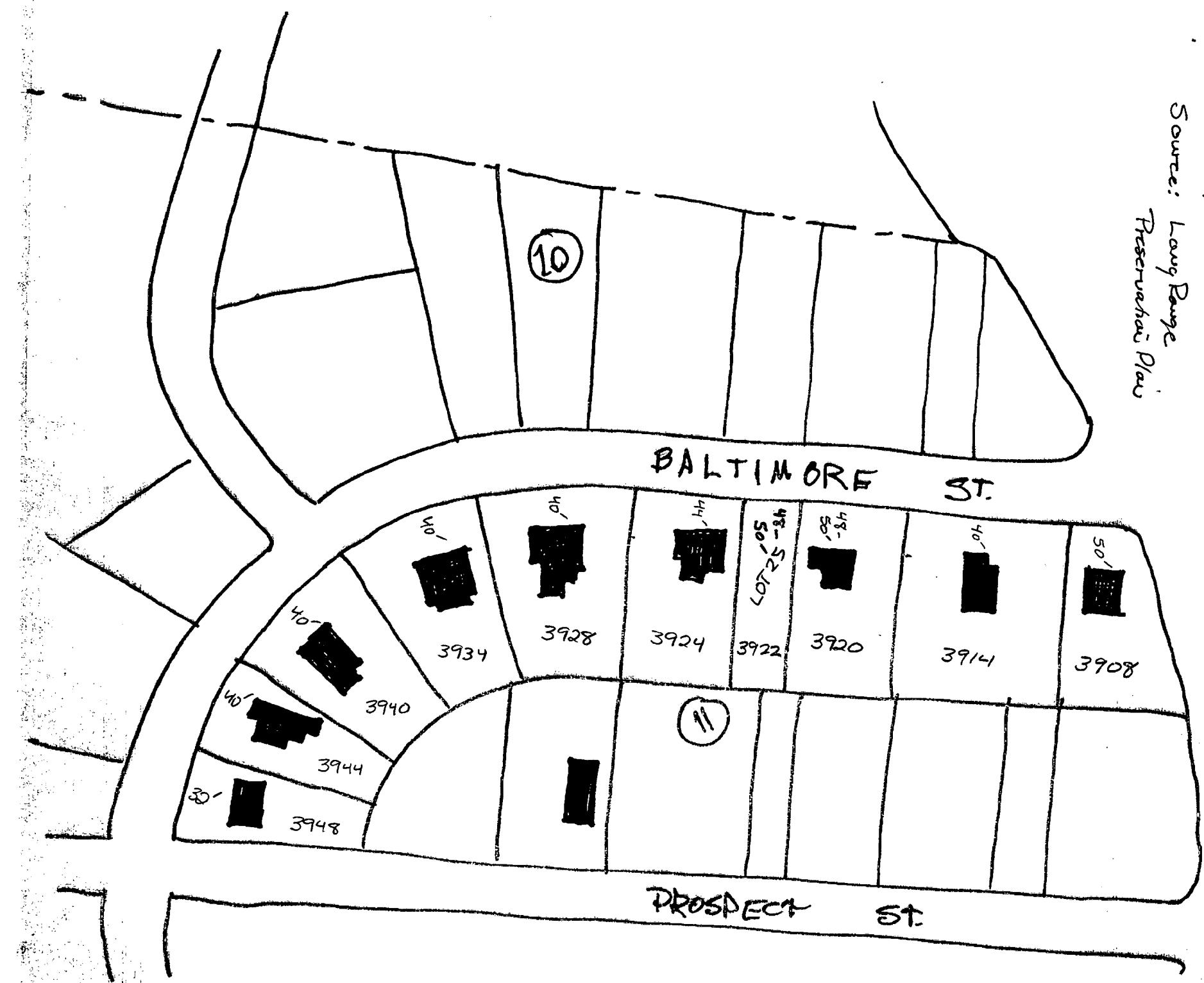
3940                    3951    3941  
3944                    3947

( Ant McMurtrie 565-0524 )

( put out maps for all HPC members for the Rockville buildings )

Front Yard Set-Backs

Source: Long Range  
Preservation Plan



3922 BALTIMORE ST., KENSINGTON  
**PROJECT DESCRIPTION**

---

We will be requesting a HAWP for:

- 1) Removing** the existing driveway and a 12' wide structure which is described as a garage or shed.

The existing condition is highly deteriorated and is probably beyond repair. Specifically, the bottom plates on the front wall, the front east side wall, and the rear west side wall are off the footing and progressively collapsing. The roof is leaking and sagging. There is severe damage from rot or termites in the It does appear to be original or significant

NOT

- 2) To build a Single Family Residence** on lot 25 Block 11 Kensington Park according to the attached plans (delivered to you 3/32:1' scale).

- Elevation #1
- 2645 SF, 4 Bedroom 2 & 1/2 Baths
- 1 Car Detached Garage, with 14' shared driveway with 3920 Baltimore St.
- Porch Roof - Standing seam tin roof
- Windows - 2 over 1 or 4 over 1, true divided light, wood sashes
- Frequent use of doubled windows
- Siding - painted clapboards - "Omniwood" A processed product I prefer over wood siding for its superior paint holding characteristics. Wood corner boards
- Shutters - mounted on operable hinges.
- Half light door with side lights

*CHANGES NOT YET INCORPORATED INTO THE PLANS*

- Delete Wood Boxed Column, Now Turned porch posts - Tuscan
- Side and rear porch to be narrowed 18" to make an overall width of 30' in the rear.
- Plan as shown will be reversed to allow porches to face driveway

R. STERLING MEHRING  
2505 FOREST GLEN RD.  
SILVER SPRING, MD. 20910  
301-585-2600/ fax 301-608-2527

NOTE: This location for title purposes only - not to be used for determining property lines. Property corner markers NOT guaranteed by this location.

HOUSE LOCATION  
LOTS 25, 26 & 27 BLOCK 11  
KENSINGTON PARK  
MONTGOMERY COUNTY, MD.

7

8

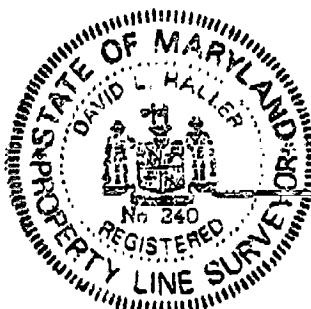
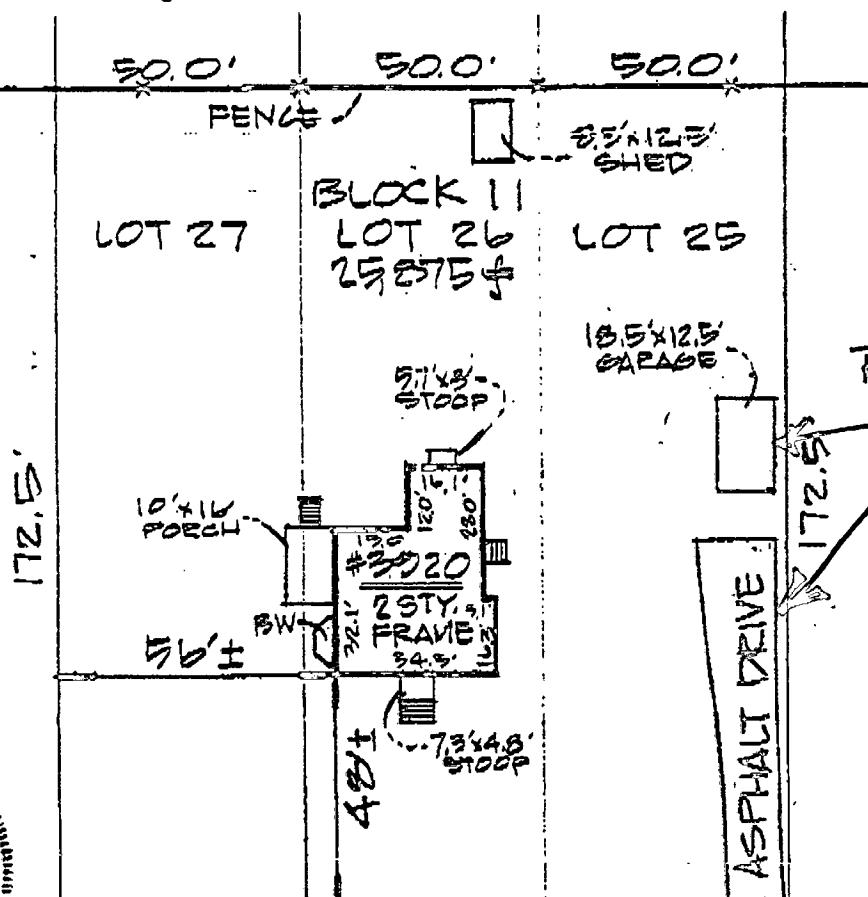
9

10

28

172.5'

24



## CERTIFICATE

I HEREBY CERTIFY THAT THE POSITION OF ALL THE EXISTING IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CAREFULLY ESTABLISHED BY A TRANSIT-TAPE SURVEY AND UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS

*DAVID L. HALLER*  
DAVID L. HALLER  
MARYLAND RPLS NO 240

## REFERENCES

PLAT BK.

B  
4

PLAT NO.

LIBER

FOLIO

ALLEN ASSOCIATES

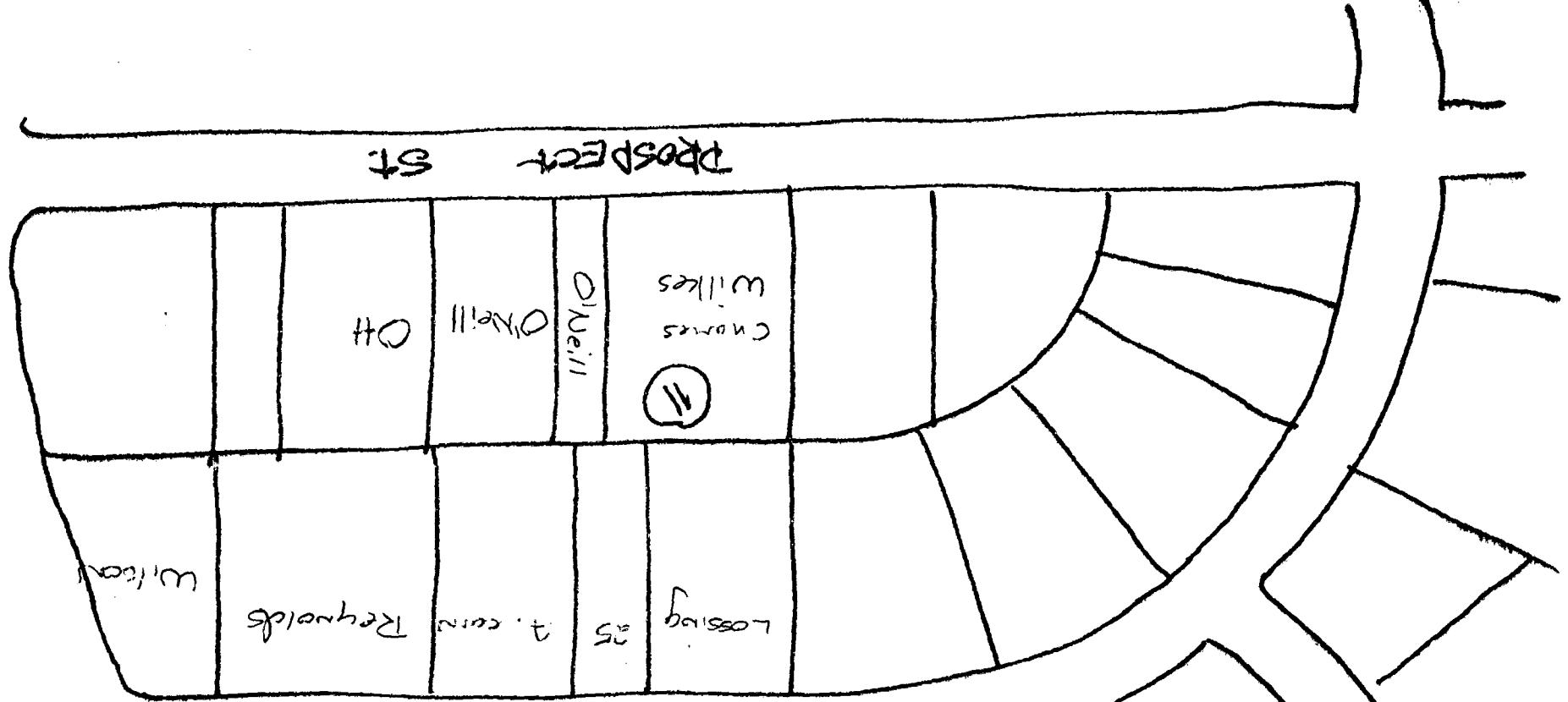
P.O. BOX 5263

SILVER SPRING, MARYLAND 20906

301-671-2156

DATE OF SURVEY	SCALE: 1" = 40'
WALL CHECK	
MSE LOC. B-29-53	DRAWN BY BA
BOUNDARY	JOB NO. BD 1132

This location for title purposes only - not to be used for determining property lines. Property corner markers NOT guaranteed by this location. Property shown herein is not in a flood plain per existing records unless otherwise indicated. B.R.L. information, if shown, was obtained from M.N.C.P. & P.C.



3922 BALTIMORE ST., KENSINGTON

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**EXHIBITS**

3922 BALTIMORE ST., KENSINGTON

**PHOTOS - Lot 25**

Lot From Street



View from Lot



**3922 BALTIMORE ST., KENSINGTON**

**PHOTOS - Lot 25**

Front of Lot-Looking East



Front of Lot-Looking West



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage**



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage+**

Side



Rear



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - garage+**



3922 BALTIMORE ST., KENSINGTON

**PHOTOS - 3920 Baltimore St.**

House From  
Front of Lot 25



House From  
Lot 25



3922 BALTIMORE ST., KENSINGTON

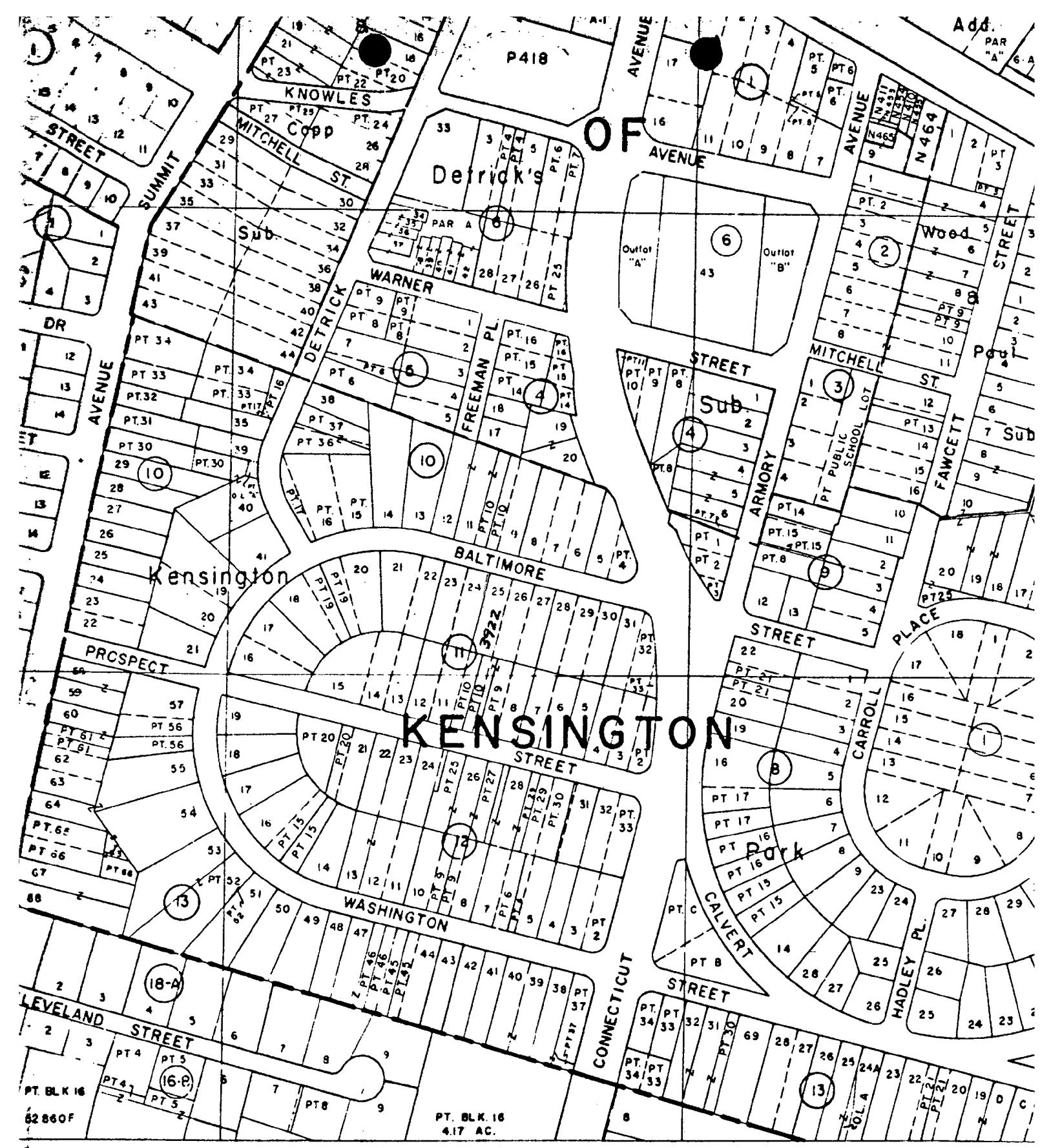
**PHOTOS - 3920 Baltimore St.**

Front View



House From  
Lot 27





H 4

DIST.	CURRENT TO
4	6-1-83
13	6-1-83

SCALE 1" = 200'

200 0 200 400 600

Map HP 34

W.S.S.C. 213 NW 4  
Location: KENSINGTON

